

APPENDIX
TO THE
REPORT
OF
THE COMMISSIONERS

Volume VII.

MINUTES OF EVIDENCE
RELATING TO THE
INDIAN AND PROVINCIAL CIVIL SERVICE
Taken at Nagpur from the 15th to the 20th March 1914
WITH APPENDICES.

Presented to both Houses of Parliament by Command of His Majes



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(Thirty-second to thirty-sixth days.)

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NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxviii of this volume.

A.

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

METHODS OF RECRUITMENT.

(a) General.

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

*The term "Native of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is, or is not, to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles—(a) selection by headmasters of schools approved or otherwise, (b) selection by authorities in Universities approved or otherwise, (c) nomination by head-masters or University authorities and selection under the orders of the Secretary of State, (d) combined nomination and examination, (e) any other method?

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts—officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(b) Age-limits.

15. If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?

*The principal changes in the age-limits have been as follows:—

Years.	Age-limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855–1857 ...	18–23 years ...	No probation in England ...	16½–23½
1850–1855 ...	18–23 years ...	One year's probation ...	16½–23½
1855–1875 ...	17–21 years on 1st March ...	Two years' probation ...	16½–23½
1875–1891 ...	17–19 years on 1st January ...	Two or three years' probation ...	16½–23½
1891–1895 ...	21–23 years on 1st April ...	One year's probation ...	22½–24½
1895–1905 ...	21–23 years on 1st January ...	Ditto ...	23–25
Since 1905 ...	22–24 years on 1st August ...	Ditto ...	23½–25½

A.—Indian Civil Service.]

METHODS OF RECRUITMENT—*contd.*(b) *Age-limits—conold.*

16. What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the systems in force from 1878 to 1891 (age-limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21—23 or 22—24 years, followed by one year's probation) ?

17. What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service ?

18. What is the most suitable age at which junior civilians should arrive in India ?

19. What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty ?

(c) *Subjects of Examination.*

20. On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined, and that the object should be to secure, "the specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period ?

21. Please examine the table in Appendix I to these questions, which shows the various phases of the authorized syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age, and (b) of University-leaving age ?

22. Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ? If so, please state them and give reasons.

(d) *Statutory Regulations.*

23. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1881 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]

24. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?

25. Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) ? Do you recommend any alterations in this system, and, if so, what ?

26. Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.

27. Have the "Natives of India" recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing, and recruited in the same manner ? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties ?

28. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend ?

(e) *Mixed Commissions.*

29. What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province ? Please distinguish in your reply between (a) military officers, and (b) others ; and give details of the latter.

30. Have such officers proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility ? Has it been possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties ?

31. If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted ?

32. Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services ?

(f) *Listed Posts, etc.*

33. Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3) and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices,

[A.—Indian Civil Service.

METHODS OF RECRUITMENT—*concl'd.*(f) *Listed Posts, etc.—concl'd.*

places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province.

34. Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons.

35. To what extent also during the last five years have these listed posts been filled—(a) by members of the Provincial Civil Service; (b) by other "Natives of India"? Please give the names and positions of the latter, if any.

36. Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?

37. Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?

38. Is the class of posts listed suitable? If not, in what directions would you suggest any changes; and why?

39. Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?

40. Please now turn to the Indian Civil Service Act, 1891 (24 & 25 Viot, c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled.

41. Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same.

42. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

SYSTEMS OF TRAINING AND PROBATION.

(a) *Probation.*

43. What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instructions in England? Do you recommend the continuance or abolition of this system?

44. What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?

45. Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?

46. If so, do you advise the selection of one or more Universities for this purpose and for what reasons?

47. Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.

48. If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?

49. Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?

50. If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?

51. Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you.

52. In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of—(a) Indian Geography, (b) Political Economy, (c) Accounts.

53. Do you consider that the probationer's course of instruction can best be spent in England or in India?

54. What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?

A.—Indian Civil Service.]

SYSTEMS OF TRAINING AND PROBATION—*concl'd.*

(a) Probation—*concl'd.*

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European students' point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(b) Training.

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(a) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of these appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior" posts, and should be drawing pay at rates above

[A.—Indian Civil Service.

CONDITIONS OF SERVICE—*concll.*

that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so, what, has been caused thereby to the Administration?

75. Please now see the statement marked AA and the list marked—

Madras = A,

Bombay = B,

Bengal = C,

United Provinces = D,

Punjab = E,

Burma = F,

Bihar and Orissa = G,

Central Provinces and Berar = H,

Assam = I,

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. [Attention is invited in this connexion to List J in Appendix VII to these questions.]

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 30 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service and the grading of each class of post for the different provinces, and say whether they are correct for your province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorized on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alteration do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?

A.—Indian Civil Service.]

CONDITIONS OF SALARY—*concll.*

95. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

96. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the Service who now draw no exchange compensation allowance?

97. How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?

98. How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the Service? Have you any recommendations to make for its alteration?

99. What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not?

100. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

101. What is your experience of the practical working of time-scales of pay in other Indian services?

102. If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the Judicial and Executive Branches of the Service is different?

103. If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?

104. Turning now to the case of the Statutory Civilian and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?

105. Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?

CONDITIONS OF LEAVE.

106. Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

107. Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

108. Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

109. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

110. Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a Colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?

111. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?

112. Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

113. Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?

114. In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?

115. Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?

116. Do the present leave rules applicable to Statutory Civilian, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

117. Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?

CONDITIONS OF PENSION.

118. Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?

119. Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?

[A.—Indian and Provincial Civil Services.

CONDITIONS OF PENSION—*concl'd.*

120. Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?

121. In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?

122. Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable.

123. Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend.

124. Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?

125. Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?

126. Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?

127. Do you approve of the present system regulating the pensions of statutory civilians? If not, what do you suggest?

128. Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?

129. Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?

130. In particular, do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?

131. Do you recommend that such admission should be optional or compulsory?

132. If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?

133. Is the existing system under which provision is made for the families of deceased military officers holding Indian Civil Service posts satisfactory? If not, what would you suggest?

134. Have you any criticisms to make on the facilities at present offered—(a) to Statutory Civilians, (b) to members of the Provincial Civil Services holding listed posts, for providing for their families against their decease?

135. Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above questions?

GENERAL.

136. Are you satisfied with the existing organization of the Indian Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you suitable.

137. Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them.

QUESTIONS RELATING TO THE PROVINCIAL CIVIL SERVICE.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

METHODS OF RECRUITMENT.

1. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?

2. Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?

3. Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?

4. Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.

5. Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year.

6. What is your experience of the officers selected by the different methods of recruitment which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition,

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*contd.*

(b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the ^{Executive} Branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training, and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service."? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorized on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganization effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Services of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial Branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

[A.—Provincial Civil Service.

CONDITIONS OF LEAVE—*concl'd.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration? and if so what, and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respect? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient, but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund or to other official or officially-recognized funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-limits, 17—21, <i>i.e.</i> , down to 1877.			Period of Age-limits, 17—19, <i>i.e.</i> , 1878—1891.		
Subjects.	Marks.		Subjects.	Marks.	
1. English Composition ...	500		1. English Composition ...	300	
2. History of England, including that of the Laws and Constitution ...	500		2. History of England, including a period selected by the candidate.	300	
3. English Language and Literature ...	500		3. English Literature, including books selected by the candidate.	300	
4. Language, Literature, and History of Greece.	750		4. Greek ...	600	
5. Language, Literature and History of Rome.	750		5. Latin ...	800	
6. Language, Literature, and History of France.	375		6. French ...	500	
7. Language, Literature, and History of Germany.	375		7. German ...	500	
8. Language, Literature, and History of Italy.	375		8. Italian ...	400	
9. Mathematics (pure and mixed) ...	1,260		9. Mathematics (pure and mixed) ...	1,000	
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology, (6) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000		10. Natural Sciences—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600	
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500		11. Logic ...	300	
12. Sanskrit Language and Literature ...	500		12. Elements of Political Economy ...	300	
13. Arabic Language and Literature ...	600		13. Sanskrit ...	500	
			14. Arabic ...	500	
Period of Age-limits, 21—23, <i>i.e.</i> , 1892—1905.			Period of Age-limits, 22—24, <i>i.e.</i> , 1906 to date.		
1. English Composition ...	500		1. English Composition ...	500	
2. English History ...	500		2. English History, either or both sections may be taken— Section I., to A.D. 1485 ... 400 Section II., A.D. 1485 to 1848 ... 400		
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution.	500		3. English Law ...	500	
4. English Language and Literature (including special period named by the Commissioners.)	500		4. English Language and Literature ...	600	
5. Greek Language and Literature ...	750		5. Translation ...	400	
6. Greek History (Ancient, including Constitution).	400		6. Prose Composition ...	200	
7. Latin Language and Literature ...	750		7. Verse Composition ...	200	
8. Roman History (Ancient, including Constitution).	400		8. Literature, etc. ...	300	
9. Roman Law ...	500		9. Greek History (Ancient, including Constitution). Latin not less than two sub-divisions, of which one must be Translation:—	500	
10. French Language and Literature ...	500		10. Translation ...	400	
11. German Language and Literature ...	500		11. Prose Composition ...	200	
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500		12. Verse Composition ...	200	
13. Mathematics (pure and applied) ...	800		13. Literature, etc. ...	300	
14. Advanced Mathematical subjects (pure and applied).	800		14. Roman History (Ancient, including Constitution).	500	
			15. Roman Law ...	500	
			16. French, History of the Language and Literature.	200	
			17. French, Translation, Composition and Conversation.	400	
			18. German, History of the Language and Literature.	200	
			19. German, Translation, Composition and Conversation.	400	
			20. Italian, History of the Language and Literature.	200	
			21. Italian, Translation, Composition and Conversation.	400	
			22. General Modern History ...	500	
			23. Lower Mathematics ...	1,200	
			24. Higher Mathematics ...	1,200	

[A.—Indian Civil Service.

APPENDIX I.—*concl.*Period of Age-limits, 21—23, *i.e.*, 1892—1905.Period of Age-limits, 22—24, *i.e.*, 1906 to date.

Subjects.	Marks.	Subjects.	Marks.
15. Natural Science, <i>i.e.</i> , any number not exceeding three of the following subjects:— Elementary Chemistry and Elementary Physics ... 600 (<i>N.B.</i> —This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics) — Higher Chemistry ... 600 Higher Physics ... 600 Geology ... 600 Botany ... 600 Zoology ... 600 Animal Physiology ... 600	1,800	25. Natural Science, <i>i.e.</i> , any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken:— (1) Chemistry ... 600 (2) Physics ... 600 (3) Geology ... 600 (4) Botany ... 600 (5) Zoology ... 600 (6) Animal Physiology ... 600 (7) Geography ... 600	2,400 or 1,800
16. Logic and Moral Philosophy (Ancient and Modern) ... 400		26. Logic and Physiology ... 600	
17. Moral Philosophy (Ancient and Modern) ... 400		27. Moral and Metaphysical Philosophy ... 600	
18. Political Economy and Economic History ... 500		28. Political Economy and Economic History ... 500	
19. Political Science (including Analytical Jurisprudence, the early History of Institutions and Theory of Legislation). ... 500		29. Political Science ... 600	
20. Sanskrit Language and Literature ... 500		31. Sanskrit Language and Literature ... 800	
21. Arabic Language and Literature ... 500		32. Arabic Language and Literature ... 800	

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

APPENDIX II.

THE INDIAN CIVIL SERVICE ACT, 1861.

(24 & 25 Vict., Chap. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.

WHEREAS by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. All appointments made by the authorities in India to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed.—(*Rep. 55 & 56 Vict., c. 19.*)

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an

Appointments not in accordance with 33 G. 3. c. 52, valid. Vacancies in offices to be supplied by covenanted civil servants.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

A.—Indian Civil Service.]

examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as prescribes seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

SCHEDULE.

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine and Public Works Departments.

Accountant-General.
Civil Auditor. (a)

Sub-Treasurer. (b)

Judicial.

- | | |
|---|---|
| <p>1. Civil and Sessions Judges, or Chief Judicial Officers of Districts in the Provinces now known as Regulation provinces.</p> <p>2. Additional and Assistant Judges in the said Provinces.</p> | <p>3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.</p> <p>4. Joint-Magistrates in the said Provinces.</p> <p>5. Assistant Magistrates or Assistant to Magistrates in the said Provinces.</p> |
|---|---|

Revenue.

- | | |
|--|---|
| <p>1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.</p> <p>2. Secretaries to the said Boards of Revenue.</p> <p>3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.</p> <p>4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.</p> | <p>5. Deputy or Subordinate Collectors where combined with the Office of Joint-Magistrate in the said Provinces.</p> <p>6. Assistant Collectors or Assistants to Collectors in the said Provinces.</p> <p>7. Salt Agents.</p> <p>8. Controller of Salt Chowkies.</p> <p>9. Commissioners of Customs, Salt and Opium.</p> <p>10. Opium Agents.</p> |
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(a) Now called Comptroller-General.

(b) Now non-existent.

APPENDIX III.**THE GOVERNMENT OF INDIA ACT, 1870.**

(33 Vict., Cap. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

6. Whereas it is expedient that additional facilities should be given for the employment of Natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any Native of India to any such office, place or employment, although such Native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "Natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of Natives of India thus expressed; provided that every resolution made by him for such purposes shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

[A—Indian Civil Service.]

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such Provincial civil service can properly be appointed.

2. The local Government may at any time appoint any Native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by Natives of India not members of the Provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any Native of India (not a member of a Provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any Native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only, and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,

Offg. Secy. to the Govt. of India.

APPENDIX V.

Statement showing Posts listed as open to the Provincial Civil Services.

	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
<i>Superior Posts.</i>									
Heads of districts ...	2	2	8	2	2	2	6	4	49
District and Divisional Judges.	4	3		6	6	2		2	
Settlement Collectors ...	...	...	...	...	2	1	...	...	3
Sub-Collectors ...	2	...	...	...	...	...	...	...	2
Secretary, Board of Revenue.	...	...	...	...	1	...	...	...	1
Talukdari Settlement Officer	...	1	...	...	...	...	...	...	1
Total ...	4	6	8	7	11	5	5	6	56
<i>Inferior Posts.</i>									
Secretary to Board of Revenue.	1	...	...	1	...	...	...	...	2
Under-Secretary to Government.	1	...	1	...	1	...	1	...	4
Joint Magistrates or Assistant, Commissioners or Assistant Collectors.	5	8	8	7	3	...	...	2	33
Assistant Judges ...	...	3	...	...	...	...	...	...	3
Small Cause Court Judges	...	...	...	2	...	...	...	...	2
Assistant Settlement Officers	...	...	...	2	...	...	...	...	2
Assistant to Director of Land Records.	...	...	...	1	...	...	...	...	1
Total ..	7	11	9	13	4	...	1	2	47
GRAND TOTAL SUPERIOR AND INFERIOR.	15	17	17	20	15	5	6	8	103

A.—Indian Civil Service.]

APPENDIX VI.

FINAL EXAMINATION OF 1891 WHEN THE PERIOD OF PROBATION WAS TWO YEARS.			FINAL EXAMINATION OF 1912 WHEN THE PERIOD OF PROBATION WAS ONE YEAR.		
Subjects (a).		Marks.	Subjects.		Marks.
1. *Classical languages of India—			<i>Compulsory—</i>		
Sanskrit ... ..	...	500	1. The principal Vernacular language of the Province to which the candidate is assigned.		400
Arabic ... ..	...	400	2. Indian History		400
Persian ... ..	...	400	3. Indian Penal Code		400
2. †Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.		400	4. Code of Criminal Procedure ...		200
3. The History and Geography of India		350	5. The Indian Evidence Act ...		200
4. ‡Law ... ..	...	1,250	<i>Optional.—(Not more than one of the following subjects.)</i>		
5. Political Economy ... ..	...	350	1. §Sanskrit		400
			2. §Arabic		400
			3. Persian		400
			4. Hindustani (for candidates assigned to the Province of Burma only).		400
			5. Hindu and Muhammadan Law ...		450

(a) In addition to the above, candidates were permitted to take up any one of the following branches of Natural Science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in law included—

- (1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Meineke's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

- (2) Law of Evidence—
The Indian Evidence Act.
Fitt's Treatise on the Law of Evidence.

- (3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

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sioners, p. 2
523-6.

Simultaneously, the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

- First Periodical Examination ... Seven reports of police court cases of a stipendiary Magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial. Four civil cases of a county court in which the parties were represented by counsel. One separate report of the whole business, of whatever kind, transacted in a police court during one day.
- Second Periodical Examination ... Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel. Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
- Third Periodical Examination ... Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
- Final Examination ... Three reports of criminal cases of importance tried before juries in the Central Criminal Court, and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc. One report of the investigation before a London police magistrate of a grave criminal charge ending in committal. One report of the whole business, of whatever kind, transacted in a London police court in one day. Two reports of important civil cases tried by a special jury in London. One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the open competition.

[A.—Indian Civil Service.]

APPENDIX VII.

AA.

STATEMENT showing the CADRE and STRENGTH of the INDIAN CIVIL SERVICE for INDIA as a whole and by PRESIDENCIES or PROVINCES, as sanctioned on 1st July 1912, together with the number of posts listed as open to the Provincial Service in accordance with the terms of the rules made under the provisions of Section 6 of the Government of India Act, 1870 (33 Vict., Chap. 3).

	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, i.e., posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) Deduct for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	...	56
(3) Add for posts under the Government of India (a).	8	8	8	10	7	6	5	...	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) Add 4 per cent. for temporary posts and for deputation. [N.B.—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) Add "Inferior" posts, i.e., posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) Add leave reserve at 40 per cent. of line (6).	36	36½	37½	47½	32	36	22½	20	10	276
(9) Add training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of "service required at 194·5 per cent. of line (6).	175	173	183	231	164	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·8 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(a) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333½
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade	2,500
1	Secretary, Municipal (Local) Department	2,500
(a) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(a) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade	2,000
1	Commissioner of Coorg	1,800—2,000
(a) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue	1,500—1,800
1	Secretary to Commissioner, Salt and Abkari Revenue	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(b) 20	Sub-Collectors and Joint Magistrates, first grade	1,200
Total .. 87		
Deduct —8	For posts listed as open to the Provincial Service.	
Add +8	Do. under the Government of India.	
Balance 87		
	<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>	
3	Under-Secretaries	1,000
16	Joint Magistrates, second grade	900
16	Ditto, third grade	700
Total ... 35		
	<i>Reserve posts, i.e., Assistant Collectors.</i>	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total ... 53		

(a) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
 (b) Includes Deputy Commissioner of Salt and Abkari, and Director of Land Records.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333½
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc.	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(a) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade <i>plus</i> a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(b) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier	1,200
3	Political appointments	{ Local allowance of Rs. 300.
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under-Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100
1	Manager, Sind Encumbered Estates	{ Local allowance of Rs. 100.
2	Superintendents of Land Records	Salary of grade <i>plus</i> special allowance of Rs. 200.
1	Registrar, Co-operative Credit Societies	{ Salary of grade <i>plus</i> special allowance of Rs. 150.
5	Assistant Collectors, first grade	900 (c)
Total ... 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 86		
	<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>	
17	Assistant Collectors, first grade	900
18	Ditto, second grade	700
Total ... 35		
	<i>Reserve posts, i.e., Assistant Collectors.</i>	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total ... 52		

(a) Includes Remembrancer of Legal Affairs.

(b) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies, but excludes Collector of Customs, Bombay.

(c) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

[A—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333½
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333½
(a) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust	3,000
5	Commissioners	2,916½
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(a) 13	District and Sessions Judges, second grade	2,500
(b) 12	Magistrates and Collectors, first grade	2,250
(a) 14	District and Sessions Judges, third grade	2,000
(b) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(b) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total ... 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	Do. under the Government of India.	
Balance 90		
	<i>Inferior posts (i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay excluding one listed Under-Secretaryship).</i>	
2	Under-Secretaries	1,000
17	Joint Magistrates	900
17	Ditto	700
Total ... 36		
	<i>Reserve posts, i.e., Assistant Magistrates.</i>	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total ... 56		

(a) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam

(b) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapore, Bakarganj and Mymensingh.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333½
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue ..	3,500
1	Additional Judicial Commissioner	3,333½
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916½
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(a) 7	District and Sessions Judges, second grade	2,500
(b) 19	Magistrates and Collectors, first grade	2,250
(a) 6	District and Sessions Judges, third grade	2,250
10	District and Sessions Judges, fourth grade	1,833½
(b) 17	Magistrates and Collectors, second grade	1,833½
4	Deputy Commissioners, first grade	1,833½
3	District and Sessions Judges, fifth grade	1,666½
(b) 10	Deputy Commissioners, second grade	1,666½
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade plus special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	
1	Deputy Commissioner, Naini Tal	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora	1,000
Total ... 111		
Deduct — 7		For posts listed as open to the Provincial Service
Add +10		Do. under the Government of India.
Balance 114		
<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>		
2	Under-Secretaries	1,000
1	Under-Secretary	800
1	City Magistrate, Lucknow ..	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court	Salary of grade.
Total ... 46		
<i>Reserve posts, i.e., Assistant Collectors.</i>		400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total ... 71		

(a) Includes the Legal Remembrancer.

(b) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333½
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
6	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
6	Divisional Judges, 3rd grade	2,250
(a) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(a) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(a) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	
1	Registrar, Co-operative Credit Societies	{ Salary of grade plus special allowance of Rs. 150.
1	Senior Secretary to Financial Commissioners	Salary of grade, subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners	Salary of grade, subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	Do. under the Government of India.	
Balance 76		
	<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under-Secretaryship listed).</i>	
2	Under-Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
16	Ditto, 2nd grade	700
Total ... 31		
	<i>Reserve posts, i.e., Assistant Commissioners of the lowest grade.</i>	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total ... 47		

(a) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Peshawar States.

[A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor ...	8,333½
1	Chief Judge, Chief Court ...	4,000
1	Judge, Chief Court ...	3,500
1	Judicial Commissioner, Upper Burma ...	3,500
1	Financial Commissioner ...	3,500
1	Chief Secretary to Government ...	3,000
8	Commissioners of Divisions ...	2,750
1	Commissioner of Settlements and Director of Land Records.	2,750
2	Divisional Judges, 1st grade ...	2,750
1	President, Rangoon Municipality ...	2,500 (a)
1	Director of Agriculture ...	2,400 (a)
2	Divisional Judges, 2nd grade ...	2,250
(c) 12	Deputy Commissioner, 1st grade ...	2,250
1	Revenue Secretary to Government ...	2,250 (b)
1	Secretary to Government ...	2,250 (b)
2	Divisional Judges, 3rd grade ...	1,800
(c) 13	Deputy Commissioners, 2nd grade ...	1,800
8	District Judges ...	1,500
(c) 15	Deputy Commissioners, 3rd grade ...	1,500
1	Deputy Director of Land Records ...	1,600 (b)
1	Secretary to Financial Commissioner ...	1,500 (b)
1	Registrar, Chief Court ...	1,400 (b)
6	Settlement Officers ...	Salary of grade plus special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies ...	
Total ...	83	
Deduct ...	- 5	For posts listed as open to the Provincial Service.
Add, ...	+ 6	For posts under the Government of India.
Balance ...	84	
	<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>	
11	Assistant Commissioners, 1st grade ...	1,000
13	Assistant Commissioners, 2nd grade ...	700
10	Assistant Commissioners, 3rd grade ...	600
Total ...	34	
	<i>Reserve posts, i.e., Assistant Commissioners of the 4th grade.</i>	
		450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total ...	51	

(a) Maximum salary, including a local allowance of Rs. 250 a month.

(b) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.

(c) Includes Superintendent of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade plus a local allowance of Rs. 250, without a maximum.

(d) Maximum salary including a local allowance of Rs. 150 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number..	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333½
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(a) 2	District and Sessions Judges, 1st grade	2,916½
5	Commissioners	2,500—100—3,000
1	Inspector-General of Police	2,500
(a) 5	District and Sessions Judges, 2nd grade	2,250
(b) 9	Magistrates and Collectors, 1st grade	2,000
(a) 5	District and Sessions Judges, 3rd grade	1,800
(b) 10	Magistrate and Collectors, 2nd grade	1,600
(b) 10	Ditto, 3rd grade	
Total ... 54		
Deduct —5	For posts listed as open to the Provincial Service.	
Add +5	Do. under the Government of India.	
Balance... 54	On which recruitment is based.	
<i>Inferior posts, i.e., posts above the lowest grade of assistants but below the "superior" posts (including one listed Under-Secretary) in order of pay.</i>		
2	Under-Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 22		
<i>Reserve posts, i.e., Assistant Magistrates.</i>		
2	Reserve for temporary posts and for deputations.	400—500
22½	Leave reserve.	
8½	Training reserve.	
Total ... 38		

(a) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota Nagpur.

(b) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII.—*contd.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	<i>Central Provinces.</i>	Rs.
1	Chief Commissioner	5,166½
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Ditto	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Ditto, 2nd class	1,800
(a) 14	Ditto, 3rd class	1,500
4	Settlement Officers	} Salary of grade <i>plus</i> special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total ... 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	Do. under the Government of India.	
Balance ... 49		
	<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>	Rs.
6	Assistant Commissioners, 1st grade	900
13	Ditto, 2nd grade	700
Total ... 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows:—	
10	Assistant Commissioners, 1st grade	900
10	Ditto, 2nd grade	700
Total ... 20		
	<i>Reserve posts, i.e., Assistant Commissioners of the lowest grade.</i>	400-500
2	Reserve for temporary post and for deputations.	
20	Leave reserve.	
8	Training reserve.	
Total ... 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlement, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450, subject to a maximum salary of Rs. 2,500 a month.

A.—Indian Civil Service.]

APPENDIX VII.—*contd.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166½
2	Commissioners	2,750
(a) 6	Deputy Commissioners, 1st grade	2,250
(a) 7	Ditto, 2nd grade	1,800
(a) 6	Ditto, 3rd grade	1,500
Total ... 22		
Deduct Nil.		
Add + 2		
Balance ... 24		
For posts listed as open to the Provincial Service. Do. under the Government of India.		
<i>Inferior posts, i.e., posts above the lowest grade of assistants, but below the "superior" posts in order of pay.</i>		
2	Under-Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Ditto, 2nd grade	700
Total ... 9		
<i>Reserve posts, i.e., Assistant Magistrates.</i>		400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total 15		

(a) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer, and Political Agent, Manipur.

LIST J.

Superior Posts under the Government of India.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666½
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor-General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the India Finance Department	1,100—1,800

[A.—Indian Civil Service.]

APPENDIX VII.—*conold.*LIST J.—*conold.*

Number.	Designation.	Pay of each.
		Rs.
1	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
1	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
1	Department of Revenue and Agriculture—	
1	Secretary	4,000
1	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
1	Department of Education—	
1	Secretary	3,000
Total ...	58	

BB.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over (+) or under (−) strength.
1	2	3		4
Madras	175		173	− 2
Bombay	173		176 (a)	+ 3
Bengal	183		174 (b)	− 9
United Provinces	231		237 (c)	+ 6
Punjab	154	Civilians 162 (d) ... { Military 29 (e) ... {	191	+ 37
Burma	169	Civilians 126 ... { Military 49 ... {	175	+ 6
Bihar and Orissa	109		107 (f)	− 2
Central Provinces	99		104 (g)	+ 5
Assam	48	Civilians 39 ... { Military 9 ... {	48	...
Total	1,341		1,385	+ 44

(a) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Miles of the Sind Commission.

(b) Excluding Messrs. Nathan and Hallet, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(c) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in the Bengal cadre.

(d) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glaney, Pipon, Bolton, Pears, Jelf, Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macdonair and Jacob, serving in Beagal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(e) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Ross-Koppel and Captain Kean, serving in the Political Department under the Government of India in the North-West Frontier Province.

(f) Excluding the late Mr. Shuttle.

(g) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddall (serving in Bengal, in which he has been included), and three Indian members of the Barar Commission who have been treated as holding posts corresponding to three listed posts.

Nature of posts.	MADRAS.		BOMBAY.		BENGAL.		UNITED PROVINCES.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	...	.....	...	.....	...	.....	1	8,333½
Members of Councils...	2	5,333½	2	5,333½	2	5,333½	...	.....
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Beards of Revenue or Financial Commissioners.	4 { (1) 3,750 (1) 3,500 (2) 3,000	...	...	.....	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	...	.....	6 { (1) 3,750 (2) 3,500 (3) 3,000	...	5 { (1) 3,750 (2) 3,500 (3) 3,000	2,216½	10 { (9) 2,916½ (1) 2,500	...
Secretaries to Government.	3 { (1) 3,750 (1) 3,125 (1) 2,600	...	3 { (1) 3,750 (1) 3,125 (1) 2,500	...	3 { (1) 3,333½ (2) 2,750	...	1	3,000
Secretaries to Beards of Revenue or Financial Commissioners.	2	1,500-1,800	...	.....	...	.....	...	.....
Judicial Commissioners	...	.....	2 { (1) 3,000 (1) 2,750	...	...	.....	2 { (1) 3,500 (1) 3,333½	...
District and Sessions Judges or Divisional Judges and District Judges.	22 { (2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	...	18 { (3) 2,500 (6) 2,325 (9) 1,800	...	30 { (3) 3,000 (13) 2,500 (14) 2,000	...	23 { (3) 3,000 (7) 2,500 (6) 2,250 (10) 1,833½ (3) 1,666½ (19) 2,250 (21) 1,333½ (10) 1,666½ (2) 1,500 (2) 1,000	...
Collectors or Deputy Commissioners.	27 { (7) 2,500 (14) 2,250 (6) 1,800	...	29 { (13) 2,325 (16) 1,800 (1) 1,600	...	39 { (13) 2,250 (13) 1,800 (14) 1,500	...	54 { (19) 2,250 (21) 1,333½ (10) 1,666½ (2) 1,500 (2) 1,000	...
Political Officers	1	2,800	3	.....	...	.....	...	.....
Miscellaneous posts	(a) 4 { (1) 2,500-3,000 (1) 1,800-2,000 (1) 1,500-1,800 (1) 1,500	...	(b) 6 { (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100	...	(c) 6 { (1) 3,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,300 (1) 1,100	...	(d) 4 { (2) 2,500-3,000 (1) 1,500 (1) 1,100	...
Under-Secretaries to Government.	3	1,000	2	1,250	2	1,300	3 { (2) 1,000 (1) 800	...
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	...	.....	...	.....	...	.....
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22 { (15) (e) 1,000 (7) (f) 800	...
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	...	...	...	.....	...	.....	...	.....
Assistant Collectors or Commissioners.	53	400-500	57	400-500	66	400-500	71	400-500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	...	.....	6	.....	...	.....	7	.....
Total	175	.....	171	.....	182	.....	228	.....

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
 (b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Find and Talukdari Settlement Officers.
 (c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
 (d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
 (e) Includes City Magistrate of Lucknow.
 (f) Includes an Assistant Judge.

DIX VIII.

PUNJAB.		BURMA.		BIHAR AND ORISSA.		CENTRAL PROVINCES AND BENAR.		ASSAM.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,388½	1	8,388½	1	8,388½	1	5,166½	1	5,166½
8 {	(1) 4,000 (2) 3,500	2 {	(1) 4,000 (2) 3,500	2 {	5,000 4,000	...	.....	...	.....
2	3,500	1	3,500	1	3,500	1	3,500	...	.....
5	2,750	9	2,750	5	2,916½	5 {	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	...	.....	...	.....
2 {	(1) 1,200-1,800 (1) 1,000-1,500	...	..	...	.....	...	.....	...	.....
...	.....	1	3,500	...	..	3 {	(1) 3,500 (1) 3,000 (1) 2,750	...	.....
24 {	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14 {	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12 {	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(7)	.....
34 {	(10) 2,250 (11) 1,800 (13) 1,500	40 {	(12) 2,250 (13) 1,800 (15) 1,500	29 {	(9) 2,250 (10) 1,800 (10) 1,500	34(7) {	(8) 2,250 (12) 1,800 (14) 1,500	19 {	(6) 2,250 (7) 1,800 (8) 1,500
...
(g) 1	1,250	...	.....	1 (h)	2,500-3,000	...	.....	...	.....
2	1,000	...	.....	2	1,000	...	.....	2	1,000
...
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
...	.....	10	600	...	..	...	.....	...	.....
47	400-600	51	450-600	38	400-500	31	400-600	15	400-500
7	.....	14	.....	...	.....	6	.....	...	.....
158	.....	168	.....	109	.....	101	.....	46	.....

(g) Registrar of Chief Court.

(h) Inspector-General of Police.

(i) Includes Divisional Judges except the Senior Divisional Judge.

(j) Three District and Sessions Judges are graded with the Bengal cadre.

A.—Indian Civil Service.]

APPENDIX VIII.—continued.

DD.

Presidency or Province.	Collectors or Deputy Commissioners.						District and Sessions Judges, including Divisional and District Judges.						Joint Magistrates, Assistant Collectors and Assistant Commissioners.					
	Appointments in the grades of Rs. 2,500 and over.			Appointments in the grades of Rs. 1,500 and over, but less than Rs. 2,500.			Appointments in the grades of Rs. 2,500 and over.			Appointments in the grades of Rs. 1,500 and over, but less than Rs. 2,500.			Appointments in the grades of Rs. 1,500 and over, but below Rs. 700.			Appointments in the grades of Rs. 700 and over, but below Rs. 900.		
	No.	Per-centage.	No.	Per-centage.	No.	Per-centage.	Total number of appointments.	No.	Per-centage.	Total number of appointments.	No.	Per-centage.	Total number of appointments.	No.	Per-centage.	Total number of appointments.	No.	Per-centage.
Madras	27	21	77.3	6	22.2	...	23	16	72.7	6	27.3	...	106	36	34	16	15.3	50.4
Bombay	29	13	44.8	15	61.7	1	18	9	50	9	50	...	92	17	18.6	18	19.6	61.9
Bengal	39	12	30.8	13	33.3	14	30	16	53.3	14	46.7	...	90	17	18.8	17	18.8	62.2
United Provinces	54	19	35.2	21	38.9	14*	28	15	53.6	10	35.7	3	113†	15	13.3	27	23.9	82.8
Punjab	34	10	29.5	11	32.3	13	24	10	41.7	6	25	8	76	11	18.4	15	19.3	61.8
Burma	40	12	30	13	32.5	15	14	4	28.6	2	14.3	8	86	11	12.9	13	15.3	71.8
Bihar and Orissa	29	9	31.0	10	34.5	10	12	7	58.3	5	41.7	...	63	10	18.9	10	18.9	82.2
Central Provinces and Berar.	34	8	23.5	12	35.3	14	1	1	100	...	...	...	60	6	12	13	26	92
Assam	19	6	31.6	7	36.8	6	...	...	...	...	...	...	23	4	18.1	3	19.6	68.3

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.

† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

[A.—Provincial Civil Service.]

APPENDIX A.

*Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058,
dated Simla, the 19th August 1910.*

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission, and is pleased accordingly to invest local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

- I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.
- II. Every candidate for appointment by recruitment must furnish satisfactory evidence—
 - (a) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch; these excepted cases will be governed by Article 51 of the Civil Service Regulations;
 - (b) that he has attained a prescribed preliminary standard of general education to be fixed by local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;
 - (c) that he is of sound health, good physique, and active habits; and
 - (d) that he is of good character.
- III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.
- IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.
- V. Admission to the provincial civil service should usually be confined to persons who are Natives of the province or have definitely settled in it. In the case of candidates who are not Natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.
- VI. Europeans who are not statutory Natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.
- VII. The local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.
- VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

A.—Provincial Civil Service.]

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

* Madras.
Bombay.
Bengal.
United Provinces,

Punjab.
Burma.
Eastern Bengal and
Assam.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments* and Departments of the Government of India† noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

† Foreign.
Revenue and Agriculture.

Public Works.
Commerce and Industry.

A. EARLE,

Offg. Secy. to the Govt. of India.

[A.—Provincial Civil Service.

APPENDIX B.

Office.	Rate of pay in Rupees.	NUMBER OF APPOINTMENTS IN EACH GRADE.														
		Madras.	Bombay.				Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presi- dency proper.	Sind.	Total	Agra.		Oudh.	Total.							
<i>Executive Branch.</i>																
Deputy Collectors in Madras, Bengal, the United Provinces and Bihar and Orissa. Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	800	3	...	...	2	6	...	...	4	3	3	4	2	1	27
	700	6	...	...	3	7	...	...	6	4	5	5	3	1	40
	600	8	...	...	7	16	...	...	12	5	10	12	6	3	79
	500	29	...	...	23	48	...	...	35	12	86	36	14	10	243
	400	32	...	...	23	71	...	...	53	24	36	52	23	14	323
	300	29	...	...	24	73	...	...	55	25	35	54	24	16	334
	250	30	...	...	...	79	...	...	58	(a)40	...	59	14	16	296
	200	...	...	...	...	...	...	...	...	...	...	...	12	...	12
Total	...	137	...	...	82	299	...	...	223	113	125	222	98	60	1,359
Mamlatdars	250	...	29	...	29	...	...	...	...	...	...	...	...	...	29
	225	...	34	...	34	...	...	...	...	...	...	...	...	...	34
	200	...	39	...	39	...	...	...	...	...	...	...	...	...	39
	175	...	45	...	45	...	...	...	...	...	...	...	...	...	45
	150	...	60	...	60	...	...	...	...	...	...	...	...	...	60
Total	...	...	197	...	197	...	...	...	...	...	...	...	...	...	197
Total (Executive Branch)	...	137	...	...	279	299	...	...	223	113	125	222	98	60	1,556
<i>Judicial Branch.</i>																
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	1,000	...	...	...	...	6	...	...	...	...	...	2	...	...	8
	800	4	3	1	4	12	3	2	6	3	1	6	2	...	37	
	700	...	...	...	...	...	...	...	...	4	1	...	3	...	8
	650	5	4	1	5	...	7	3	10	...	...	...	...	...	20
	600	...	...	...	...	24	...	...	...	5	2	12	5	...	48
	500	9	8	1	9	...	9	7	16	12	8	...	6	...	69	
	400	...	...	...	...	...	...	...	...	12	8	...	17	...	37
	300	...	...	...	...	...	...	...	...	13	9	...	16	...	37
Total	...	(d)18	15	3	18	(b)42	19	12	31	48	29	(b)20	48	(b)	254	
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	...	...	...	...	12	...	...	...	...	...	...	...	...	12
	400	33	19	2	21	61	22	3	30	...	...	20	...	...	165
	300	33	22	4	26	70	24	8	32	...	...	19	...	...	180
	250	33	...	...	...	65	...	...	...	...	...	19	...	...	118
	200	29	36	6	41	38	22	10	32	...	...	10	...	...	148
	175	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	150	...	12	8	15	...	...	...	...	...	...	...	...	...	15
Total	...	(e)128	89	14	103	(b)245	68	26	94	(c)	(c)	(b)53	(c)	(b)	638	
Total (Judicial Branch)	...	146	104	17	121	297	87	38	126	48	29	88	48	...	892	
GRAND TOTAL	...	283	...	...	400	596	...	...	348	161	164	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive Branches.

(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.

(c) Munsifs in the Punjab and the Central Provinces and Judicial Muzakhs in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.

(d) Includes four appointments which have been added since the last general reorganisation in 1934.

(e) " three " " " " revision of the grades in August 1911.

B.

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India"* and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 5 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of the system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 5 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?

[B.—Indian and Provincial Civil Services.

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian-services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions.

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

[B.—Indian and Provincial Civil Services.]

48. Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A.* Are these conditions suitable, or have you any recommendations to make for their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections and what other arrangement you recommend?

56. Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?

64. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

* Vide p. xxviii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Nagpur.

Saturday, 15th March 1913.

THIRTY-SECOND DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLX, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S.
Officiating Commissioner, Berar.

RAO BAHADUR KASINATH KESHAB THAKUR,
I.S.O., District and Sessions Judge,
West Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra
Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

JOHN HULLAH, Esq., I.C.S. (Examined on written answers put in by the Local Government.)

Written answers relating to the Indian Civil Service.

33499 (26). Give a list of the "Natives of India" now serving in your Province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving and their present rate of salary?—

Name.	Year in which admitted to the service.	Post in which now serving.	Present salary.	
			Rs.	Rs.
1. Mr. P. S. Patuck, I.C.S.	1898	Assistant Commissioner, 1st Class (Provisional), and Officiating Deputy Commissioner, 3rd Class.	900 + 400	Rs. 1,300
2. Mr. G. A. Khan, I.C.S.	1898	Assistant Commissioner, 2nd Class, and Officiating Deputy Commissioner, 3rd Class.	700 + 533½	Rs. 1,233½

Name.	Year in which admitted to the service.	Post in which now serving.	Present salary.	
			Rs.	Rs.
3. Mr. C. B. N. Coma, I.C.S.	1903*	Assistant Commissioner, 3rd Class, and Officiating Assistant Commissioner, 1st Class, Additional District and Sessions Judge, Berar.	500 + 266½	Rs. 766½
4. Mr. B. N. De, I.C.S.	1906	Assistant Commissioner, 3rd Class, and Officiating Assistant Commissioner, 2nd Class.	500 + 200	Rs. 700
5. Mr. G. V. Bewoor, I.C.S.	1912	Assistant Commissioner, 3rd Class, under training.		400

* Arrived in India in January 1904.

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[continued.]

33500 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (a) Military officers, and (b) others; and give details of the latter?—In the Central Provinces there is only one officer, Mr. H. R. Crosthwaite, thus recruited. In Berar the whole Commission was specially recruited under the Foreign Department of the Government of India, to fill the administrative posts of the Province. The Berar Commission is gradually disappearing, and its posts are being absorbed in the Central Provinces Commission. So far as it now remains, the Berar Commission contains (a) 5 Military Officers, and (b) 7 others (including Mr. Rustomji, a member of the Berar Commission, now transferred to the Central Provinces Commission). The details of (b) Others are as follows:—Mr. Rustomji Faridoonji, Mr. F. W. A. Prideaux, Mr. A. C. Currie, Mr. Syed Muin-ud-din Khan, Mr. F. L. Crawford, Mr. Kashinath Sriram Jatar, Mr. A. D. St. C. Barr.

33501 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The system of recruiting military officers for the Central Provinces Commission has been stopped, *vide* Despatch No. 81, dated the 13th July 1876, from the Secretary of State for India. The Chief Commissioner considers that the practice should not be revived.

33502 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—The Chief Commissioner considers that there should not be recruitment of selected officers from other Indian Services.

33503 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1876 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to those questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—The figures given are correct. The two Assistant Commissionerships are, however, not listed as such. They have long been merged in the Provincial Service as Extra Assistant Commissionerships, like two Small Cause Court Judgeships which were also "listed," but were afterwards merged in the cadre of the Provincial Service.

33504 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the listed posts have always been

filled by "Natives of India" except on two occasions, when for very short periods a post was held by an Indian Civilian. (Even on one of these occasions the Indian Civilian, Mr. Cama, happened to be a "Native of India.") The occasions were as follows:—In June 1910, Mr. Thakur, Divisional and Sessions Judge, Hoshangabad, went on leave for a month and for this very short period the most convenient arrangement was for Mr. Cama, I.C.S., to hold the post in addition to his own duties. Again, in June 1910, Mr. Sanyal, Divisional and Sessions Judge, Jabulpore, proceeded on a year's leave, and Mr. Findlay, I.C.S., was appointed to officiate in his place. But this appointment was three months afterwards compensated for by the appointment of Mr. Kelkar, of the Provincial Service, in September 1910, *vice* Mr. Prideaux as District and Sessions Judge, Berar, a post preserved for members of the Commission. Moreover, in the year before Mr. Findlay's appointment Rao Bahadur Ramkrishna Rao Pandit, a member of the Provincial Service, had held for eight months the post of Deputy Commissioner of Betul, in addition to the three listed posts always held by "Natives of India," the appointment being made under sections 3 and 4 of the Statute 24 and 25 Viet., cap. 54.

33505 (35). To what extent also during the last five years have these listed posts been filled—(a) by members of the Provincial Civil Service, (b) by other "Natives in India"? Please give the names and positions of the latter, if any?—During the last five years the listed posts have always been filled by members of the Provincial Civil Service.

33506 (36). Has the power to fill one quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—This power has not been regularly exercised. The only appointment of a "Native of India," not a member of the Provincial Service, to a listed post was that of Mr. H. J. Stanyon, C.I.E., Barrister-at-Law, who was appointed to a Divisional and Sessions Judgeship, when such a post was first listed in 1897. Excluding posts which have been merged in the cadre of the Provincial Service, there are now six listed posts, *viz.*, 3 in the Central Provinces and 3 in Berar, but the 3 Berar posts are not to be filled by non-members of the Commission till the disappearance of Messrs. Rustomji, Muin-ud-din and Jatar, who are members of the Commission. The 3 Central Provinces posts are now all held by Provincial Service men, and none of them can be given to any other "Native of India" without violating the three-fourths rule.

33507 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The Chief Commissioner does not believe that the members of the Provincial Civil

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[continued.]

Service or the public are ordinarily aware of the system by which the inferior listed posts are merged in the Provincial Civil Service. As the present system of recruitment and fixing the strength of the cadre is based solely on the number of Superior posts, it seems practicable to list only Superior posts, since deficiencies in the inferior staff required for the working needs of the Province are supplied, not by creating and listing inferior posts, but by creating appointments in the Provincial Service.

33508 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The classes of posts listed are suitable.

33509 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., cap. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your Province under its provisions during the last five years, giving names and the nature of the posts so filled?—No such appointments have been made.

33510 (41). Are there any other ways in which "Natives of India" are appointed to your Province to Civil Service posts? If so, please give details of the same?—No.

33511 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The Chief Commissioner accepts the system as generally suitable. He considers that, although the period of eight years may result in an officer being as much as 33 years of age before he ordinarily receives the

pay of a superior post, yet this period cannot be reduced, since a shorter period will not give an officer sufficient experience to fit him for the headship of a district or for a Sessions Judgeship. If the age of recruitment, *i.e.*, the age at which an officer joins the Service, is reduced to, say, 22, it does not seem necessary to lengthen the period during which inferior posts are ordinarily held, since after eight years' service an officer will be 30 years of age, and this age is not too young for the incumbency of a superior post, considering the length of training that will have been received. Moreover, under present policy greater stress is to be laid than hitherto on selection and efficiency when making appointments to superior posts like the headship of a district.

33512 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should he drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The Chief Commissioner accepts this arrangement as suitable.

33513 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and if so what, has been caused thereby to the Administration?—Statement A appended gives the *net* number for each quarter during the last five years, *i.e.*, the number of officers of over eight years' service drawing salary of less than Rs. 1,000 *minus* the number of officers of under eight years' service drawing salary of more than Rs. 1,000. Statements B and C appended give the names in detail, as they are far too numerous to be shown in footnotes. Statement A shows alternatively the position including and excluding men on leave. The figures show that in 1908 and 1909 promotion of junior men was not up to the recognized standard; in 1910 it was slightly better than the standard; but since that year there has been very serious congestion, and promotion has been far below the recognized standard.

A.

Statement showing the total net number of Indian Civil Service officers of over eight years' service in receipt of salary of less than Rs. 1,000 a month.

Year.	Including officers on leave.				Excluding officers on leave.			
	January.	April.	July.	October.	January.	April.	July.	October.
1908 . .	11	9	7	4	8	6		2
1909 . .	11	7	1	1	8	3	... (aa)	... (bb)
1910 . .	2	1	... (a)	... (b)	... (cc)	...	... (dd)	... (ee)
1911 . .	18	13	13	11	9	8	7	5
1912 . .	16	12	10	13	13	7	4	6

(a) In this quarter there was a net excess of 6 in favour of men of under 8 years' service who draw over Rs. 1,000.

(b) Do. do. 3 do. do. do. do.

(aa) Do. do. 4 do. do. do. do.

(bb) Do. do. 4 do. do. do. do.

(cc) Do. do. 1 do. do. do. do.

(dd) Do. do. 7 do. do. do. do.

(ee) Do. do. 4 do. do. do. do.

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[continued.]

B.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of over eight years' service not holding posts carrying salary of Rs. 1,000 a month.

Year.	January.	April.	July.	October.
1908	Poynting.	Poynting.	Pntuck.	Findley. A
	Nann.	Nann.	Bell.	Hullah.
	Chamberlain.	Pntuck.	Findley. A	Khan. A
	Patuck.	Bell.	Hullah.	Nelson.
	Bathurst.	Findley. A	Khan. A	Ley.
	Bell.	Hullah.	Nelson. A	
	Findley. A	Khan. A	Ley.	
	Hullah.	Nelson. A		
	Khan. A	Ley.		
	Nelson. A			
1909	Ley.			
	Batchelor. A	Batchelor. A	Batchelor. A	Marten. A
	Chamberlain.	Bathurst. A	Bathurst. A	Batchelor. A
	Bathurst. A	Bell.	Hullah. A	Bathurst. A
	Bell.	Hullah. A	Khan. A	Hullah. A
	Findley.	Khan. A	H. E. Hemingway. A	Ley. A
	Hullah.	Hanco.		
	Khan. A	H. E. Hemingway.		
	Nelson.			
	Ley.			
1910	Hanco.			
	H. E. Hemingway.			
	Batchelor. A	Batchelor (on Spl. Duty).	Ley. A	Bathurst. A
	Hullah. A	Ley. A	Graham.	Graham.
	Ley. A	Graham.		
	Graham.			
	Poynting. A	Poynting. A	Poynting. A	Poynting. A
	Hullah.	Hullah.	Khan. A	Khan. A
	Khan. A	Khan. A	Nelson.	Hanco.
	Nelson (under G. of I.).	Nelson.	Ley.	H. E. Hemingway.
1911	Ley.	Ley.	Hanco.	Macnair. A
	Hanco.	Hanco.	H. E. Hemingway.	Wills.
	H. E. Hemingway.	H. E. Hemingway.	Macnair. A	Trench.
	Wills.	Wills.	Wills.	Graham. A
	Trench.	Trench.	Trench.	Crosthwaite.
	Graham. A	Graham. A	Graham. A	Smith.
	Crosthwaite. A	Crosthwaite. A	Crosthwaite.	R. A. Wilson. A
	Smith.	Smith.	Smith.	Gowan. A
	R. A. Wilson.	R. A. Wilson.	R. A. Wilson. A	
	Gowan.	Gowan. A	Gowan. A	

A - on leave.

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[continued.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of over eight years' service not holding posts carrying salary of Rs. 1,000 a month—contd.

Year.	January.	April.	July.	October.
1912	Chamberlain. A	Chamberlain. A	Chamberlain. A	Chamberlain. A
	Khan.	Nelson.	Hanco. A	Bell. A
	Nelson.	Hanco. A	H. E. Hemingway. A	Hanco. A
	Ley.	H. E. Hemingway. A	Macnair.	H. E. Hemingway. A
	Hanco.	Moenoir. A	Wills.	Macnair. A
	H. E. Hemingway. A	Trench.	Crosthwaite.	Trench.
	Macnair. A.	Graham.	Smith. A	Graham.
	Wills.	Crosthwaite.	R. A. Wilson.	Crosthwaite.
	Trench.	Smith. A	Cama. A	Smith. A
	Graham.	R. A. Wilson.	Dyer.	R. A. Wilson.
	Crosthwaite.	Gowan.	Mitchell.	Gowan.
	Smith.	Dyor.		Cama. A
	R. A. Wilson.	Mitchell.		Dyor.
	Gowan.			
	Dyer.			
	Mitchell.			

A=on leave.

C.

Statement showing for each quarter of the last 5 years the names of officers of the Indian Civil Service of less than 8 years' service who draw salary over Rs. 1,000 a month.

Year.	January.	April.	July.	October.
1908	.....	.....	.....	Smith.
1909	.....	.....	Trench. Crosthwaite. Smith. Dyer.	Trench. Crosthwaite. Smith. R. A. Wilson.
	Smith. R. A. Wilson.	Smith. R. A. Wilson.	Smith. R. A. Wilson. Gowan. Cama. Dyer. Mothina. Corbett. De.	Smith. R. A. Wilson. Gowan. Dyer. Mathias.
1910				
1911	Cama.	Cama.	Cama.	Cama.
1912	.....	R. Hamilton.	Brown.	.....

33514 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar*=H, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—Statement AA is correct, but List H is incorrect in showing 8 Deputy Commissioners on Rs. 2,250, and the

foot-note is incorrect in including the Inspector-General of Police among these Deputy Commissioners. The Inspector-General of Police is selected from the ranks of Deputy Commissioners, is seconded, and draws the pay of his grade *plus* a local allowance of Rs. 450, subject to a maximum of Rs. 2,500. But he may be in any grade of Deputy Commissioners (the present incumbent is in the second grade on Rs. 1,800), and should be

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[continued.]

shown separately on the statement. The statement thus makes the Central Provinces grading of Deputy Commissioners, which is very unfavourable as compared with that in other Provinces, appear to be better than it really is. Three out of the seven Deputy Commissionerships shown as on Rs. 2,250 belong to the Berar cadre and carry pay of only Rs. 1,833½ when held, as at present, by Berar officers. Similarly two out of the 12 Deputy Commissionerships shown as on Rs. 1,800 belong to the Berar cadre and carry pay of only Rs. 1,000½ when held as at present by Berar officers.

33515 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—There are six posts which do not necessarily carry pay of Rs. 1,000 *per mensem*, namely, those of 4 Settlement Officers, the Director of Agriculture and the Registrar of Co-operative Credit Societies. These carry only the salary of their grade *plus* a local allowance of Rs. 150 *per mensem*, and, except the post of Director of Agriculture, have always been held up to the present by Assistant Commissioners. Even the post of Director of Agriculture is at present held by an Assistant Commissioner of the Second Class. On the 1st January 1913 not one of the Settlement Officers was in receipt of a salary of more than Rs. 900 *per mensem*, and during the last two years it has been most exceptional for any Settlement Officer to draw over Rs. 1,000 as salary. All the posts shown in the list (excluding of course such of them as are "listed") are such as are ordinarily held by Indian Civil Service Officers or by members of the Commission. It has been shown above that the appointments of Director of Agriculture, Registrar of Co-operative Credit Societies and four Settlement Officers, are not necessarily superior posts. The work performed by these officers is such that a salary of at least Rs. 1,000 should always be attached to their posts, and it is often inconvenient to secure this by selecting men to fill them who are of sufficient seniority to officiate permanently as Officiating Deputy Commissioners. If the pay of these posts was so regulated that they must always command a salary of more than Rs. 1,000, no difficulty would be experienced in working with the number of superior posts shown in the list for the Province.

33516 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. (Attention is invited in this connexion to List J in Appendix VII to these questions)?—For purposes of answering this question, the position on the 1st July 1908 to 1912 will be taken, i.e., for five years as desired. (ii.) In 1908 apparently, and in 1909* certainly, there were 62 superior posts under the Government of India, of which 5 represented the number

Central Provinces. In 1912, however, the Government of India reduced their number of superior posts, which is now only 58 according to List J in Appendix VII to these questions, and the nominal allotment to the Central Provinces has been reduced to 4. (iii.) The following table shows how far superior posts under the Government of India have been held by Central Provinces Officers in the last five years:—

Date.	Number of superior posts allotted to the Central Provinces.	Number actually held by Central Provinces Officers.
1st July 1908	5	2 (or 3)†
1st July 1909	5	3
1st July 1910	5	5
1st July 1911	5	4
1st July 1912	4	4

(† It is doubtful whether Mr. McNair, I.C.S., should be included. He was officiating on Rs. 838 in a post on Rs. 1,000 in the Finance Department, but this was apparently not a superior post. Next year he appears to have held a superior post, and is included in 1909.)

It will be seen that in three out of the five years the number of superior posts fell short of the number nominally allotted to the Central Provinces. But no change of practice seems necessary. Actually and always to take from a Province the exact number of men required to fill the posts allotted to it might result in exclusion of more suitable men from elsewhere, the disadvantage of which would be greater than that which may result from a slight excess or defect in actual as compared with theoretical figures. The Government of India have recently reduced the number of their superior posts by 4, and this Province is one of those which has been chosen to share in the reduction. At present we have four officers holding posts classed as superior by the Government of India, *viz.*, Sir R. Craddock, Sir C. Cleveland, Mr. A. M. Brigstocke and Mr. P. Eccles, and ordinarily this number may be expected to be filled by Central Provinces men.

33517 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—A superior post is a post carrying a salary of over Rs. 1,000. Salary apparently does not include deputation allowance [*vide* Article 88 (c), Civil Service Regulations, and the separate mention of salary and deputation allowance in Article 76]. Deputation allowances have therefore been excluded in considering what officers on deputation may be regarded as having held superior posts. The number of men actually on duty is ordinarily largest on 1st January and smallest on 1st July. The Civil Lists for both these dates have therefore been examined, and the examination has been made for the last five years as desired.

* Paragraph 7 of Home Department Despatch No. 25, dated 21st June 1909.

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The following table shows what officers have been on deputation in superior posts :—

January.				July.			
Year.	Name of Officer.	Salary.	Total No. of Officers.	Year.	Name of Officer.	Salary.	Total No. of Officers.
		Rs.				Rs.	
1908	{ C. E. Low R. V. Russell	{ 1,800 1,800	{ 2	1908	{ C. E. Low	{ 1,800	{ 1
1909	{ C. R. Cleveland C. E. Low	{ 2,250 1,800	{ 2	1909	{ C. R. Cleveland H. Bell	{ 2,250 1,233	{ 2
1910	{ C. R. Cleveland H. Bell	{ 2,250 1,233	{ 2	1910	{ J. T. Marten A. B. Nelson H. Gowan	{ 1,800 1,233 1,166	{ 3
1911	{ F. A. T. Phillips J. T. Marten	{ 2,750 1,500	{ 2	1911	{ J. T. Marten	{ 1,800	{ 1
1912	{ F. A. T. Phillips J. T. Marten C. G. Leftwich J. A. Bathurst	{ 2,750 1,500 1,500 1,233	{ 4	1912	{ W. N. Maw J. T. Marten C. S. Findlay	{ 1,800 1,800 1,233	{ 3

The average number in January has been 2·4 and in July exactly 2, which is precisely the number of superior appointments on deputation allowed for in recruiting to the Central Provinces cadre. Those posts under the Government of India which appear in their list of superior posts have of course been excluded, since a separate allowance of posts is made to each Province on account of these.

33518 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?—The arrangement appears to work satisfactorily and no change seems necessary.

33519 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists giving your reasons in detail?—Yes. The allowance of 39 per cent. causes no excess or deficiency.

33520 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—This approximates to actual conditions, and no change seems necessary.

33521 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—Information has been taken from the Civil Lists for January, April, July and October, for each of the last five years, and the average leave percentages compare

as follows with those assumed in the scheme of recruitment :—

Class.	Actual.	Assumed in the scheme of recruitment.
1. Men of over 8 years' service	32·4	32·7
2. Men of 3—8 years' service	8·1	6·7
3. Men of 1 and 2 years' service	·3	·6
TOTAL	40·8	40

These figures do not give any reason to doubt the general accuracy of the accepted leave-percentages.

33522 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—In these Provinces during the last 20 years there have been so many retirements of Military Civilians and Uncovenanted Officers, and so many Officers brought from other Provinces have returned to their Provinces, that no information can be given that would be of value in comparing the decremental rate with the strength of the Service.

33523 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions.—(N. B.—The figure 104 shown against the Central Provinces in column 3 of Statement BB in Appendix VII is incorrect. The correct figure is 103, as Mr. Farran died before the 1st July 1912, though his name appeared in the Civil List for

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(that date.) The figures for the last ten years are as follows :—(The date taken is the 1st July.)

Year.	Theoretical (sanctioned) strength.	Actual strength.
1903	78	72
1904	95	99
1905	98	101
1906	98	101
1907	98	96
1908	101	98
1909	105	97
1910	105	101
1911	107	100
1912	99	103

It is difficult to criticise the scheme of recruitment from a consideration of these figures. In 1904 there was a general rise in the sanctioned strength, owing to the amalgamation of Berar with the Central Provinces, but the actual strength of the Berar Commission was not the result of any scientific system of recruitment. Moreover, the Berar Commission included an unusually large proportion of non-effectives serving outside the Provinces on foreign service, who are nevertheless necessarily included in the figures of actual strength. By 1911 the Berar Commission had become very small (12 officers) but was effective, only one officer being absent from the Province. Conditions as regards the effectiveness of the strength in the combined Provinces had thus become normal, and the actual strength of 100 was almost exactly equal to the sanctioned strength of 107. In 1911, however, the sanctioned strength was suddenly reduced to 99 by the reduction of 4 superior posts. Three Deputy Commissionerships were "listed" in Berar, and the number of Government of India superior posts allotted to the Central Provinces was reduced from 5 to 4, as the Government of India reduced the number of their superior posts ordinarily reserved for members of the Indian Civil Service. It is this sudden reduction in the sanctioned strength which is alone responsible for the discrepancy shown in Statement BB of Appendix VII. Had it not been for this reduction the sanctioned strength of 107 would have been exactly equal to the actual strength at the present time (January 1913), whereas the actual now exceeds the sanctioned strength by 8. The effect of sudden change has been to convert recent recruitment from being normal, or almost so, to excessive, and the result must inevitably be to intensify the present block of promotion among the juniors, or at least to retard recovery therefrom. A scheme is now in course of submission for the complete reorganization of the Judicial Department. This scheme provides for 12 District and Sessions Judgeships, which will raise the number of superior posts in the whole cadre from 51 to 56. The "sanctioned strength" (at 191.5 per cent. of the superior posts) will then be raised from 99 to 109, thus causing the disappearance of the present excess of actual over sanctioned strength.

33524 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—Ordinarily a quinquennial examination should be sufficient, but if in any Province the strength of the cadre is

suddenly and materially altered, like the recent sudden reduction of 8 per cent. in the Central Provinces [*vide* answer (84)], then a special enquiry is necessary regarding conditions in the Province concerned.

33525 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—Accurate results appear to be attained if the system is strictly adhered to. The main point to be noticed, in considering the working of the system in these Provinces and its effects on promotion, is that the present excess of the actual over the sanctioned strength of the Commission is due solely to the sudden reduction of the number of superior posts, as described in answer (84). The recent listing of three Berar posts has had the effect of changing recent recruitment from normal to excessive, and it may fairly be urged that all the officers who have been recruited to man a sanctioned strength of over 99 have been deprived of reasonable expectations of promotion since they have been deprived of superior posts for which they were recruited. A further unsatisfactory feature of the working of the present system is that the so-called superior posts include 6 appointments which need not carry a salary of over Rs. 1,000, namely, those of Director of Agriculture, Registrar of Co-operative Credit Societies and four Settlement Officers.

33526 (87). Are you satisfied that, under the existing system of promotions, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—As regards selection for higher appointments and the compulsory retirement of inefficient officers, the Chief Commissioner agrees with the views of the Government of India, as expressed in their Despatch No. 20, dated the 19th September 1912.

33527 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—*A.—Criminal.*—So far as the trial of Sessions cases and appeals from First Class Magistrates is concerned, the functions of the Judicial and Executive branches of the Service are absolutely differentiated. The Executive branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work in order to train them for Sessions Judgeships. *B.—Civil.*—Civil cases in all stages are tried almost exclusively by Judicial officers who have no executive functions. The only exceptions are necessitated by the provisions of the Tenancy Act. Under section 97 of that Act, original suits between landlords and tenants as such, must be tried by a Revenue officer. Such are (i) suits for ejectment of a tenant, (ii) suits to recover possession after illegal ejectment, and (iii) suits for arrears of rent. These are triable by officers of the Executive branch, who, for this purpose, are appointed Additional Subordinate Judges, but appeals from their decisions lie to Judges who have no executive functions.

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Similarly, under section 85 of the Tenancy Act, orders for the ejection of a tenant in execution of a decree for arrears of rent must be executed by Revenue officers, who are members of the Executive branch, but in such cases the Appellate Court is also that of a Revenue officer. Under section 63 of the Code of Civil Procedure decrees for the sale of interests in agricultural land are transferred to the Collector for execution, and the functions of the Collector in such cases are exercised only by officers of the Executive branch of the Service. Appeals in such cases are also decided by officers of the Executive branch. C.—*Revenue*.—Both original and appellate revenue cases are decided by officers of the Executive branch.

33528 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province?—The figures in Statement CC of Appendix VIII are correct for the

II. Since the total number of appointments of Deputy Commissioners and Assistant Commissioners should be altered as shown above the number and percentage of appointments given in Statement DD require modification as shown below:—

DEPUTY COMMISSIONERS.							ASSISTANT COMMISSIONERS.						
Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 600 and over but below Rs. 700.	
	No.	Per-centage.	No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
33	4	12.1	13	39.4	16	48.5	60	6	10	13	21.6	41	68

But if after disappearance of members of the Berar Commission the Berar posts are held by Indian Civilians on the Central Provinces rates of pay, Statement DD will be as follows:—

DEPUTY COMMISSIONERS.						ASSISTANT COMMISSIONERS.							
Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,500 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,500.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
	No.	Per-centage.	No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
38	7	21.2	13	36.4	14	42.4	60	6	10	13	21.6	41	68.3

33529 (91). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Service authorised on the 1st April of each of the following years:—1860, 1870, 1880, 1890, 1900 and 1912?—The information is given as far as possible

in the appended statement. In 1860 the Provinces had not been formed. For 1870, and (in the case of Berar) for 1880, the information is not available among the records of this Administration or in the Comptroller's office.

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Statement showing the rates of pay and the number of posts in each of the main grades of the Service authorised on the 1st April of each of the years noted below:—

Main grades of Service.	1880.		1870.		1880.(B)		1890.		1900.		1912.	
	Rates of pay	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.	Rates of pay.	No. of posts.
Chief Commissioner.					Rs. s. p.		Rs. s. p.		Rs. s. p.		Rs. s. p.	
Financial Commissioner.					4,100 10 8	1	4,100 10 8		4,100 10 8	1	5,100 10 8	1
Judicial Commissioner.					3,100 10 8	2	3,100 10 8	2	3,100 10 8	2	3,500 0 0	1
First Additional Judicial Commissioner.					2,750 0 0	1	2,750 0 0	1	2,750 0 0	1	3,000 0 0	1
Second Additional Judicial Commissioner.					2,750 0 0	1	2,750 0 0	1	2,750 0 0	1	2,750 0 0	1
Commissioner.					2,500 0 0	4	2,500 0 0	4	2,500 0 0	4	2,500 0 0	4
Secretary to the Chief Commissioner.					2,000 0 0	1	2,000 0 0	1	(A)		(A)	
Inspector-General of Registration, Stamps, Excise, etc.					1,800 0 0	1	1,800 0 0	1	(A)		(A)	
Inspector-General of Police.					1,800 0 0	1	1,800 0 0	1	1,800 0 0	1	(F)	
Junior Secretary to the Chief Commissioner.					1,500 0 0	1	1,500 0 0	1				
Assistant Secretary to the Chief Commissioner.					800 0 0	1						
Commissioner of Settlements and Agriculture.							1,900 0 0	1	2,250 0 0	1	(A)	
Director of Agriculture.											(I)	
Registrar, Co-operative Credit Societies.											(I)	
Deputy Commissioner.					1,833 5 4	2	1,833 5 4	2	2,250 0 0	3	2,250 0 0	4
1st Class.					1,833 5 4	2	1,833 5 4	2	2,250 0 0	3	2,250 0 0	4
2nd Class.					1,833 5 4	2	1,833 5 4	2	2,250 0 0	3	2,250 0 0	4
3rd Class.					1,833 5 4	2	1,833 5 4	2	2,250 0 0	3	2,250 0 0	4
4th Class.					1,833 5 4	2	1,833 5 4	2	2,250 0 0	3	2,250 0 0	4
1st Class.					1,000 0 0	5	1,000 0 0	5	1,000 0 0	5	1,000 0 0	5
2nd Class.					800 0 0	4	800 0 0	4	800 0 0	4	800 0 0	4
3rd Class.					700 0 0	5	700 0 0	5	700 0 0	5	700 0 0	5
4th Class.					500 0 0	10	500 0 0	10	500 0 0	10	500 0 0	10
Assistant Commissioner.					450 0 0	1	450 0 0	1	450 0 0	1	450 0 0	1
1st Class.					450 0 0	1	450 0 0	1	450 0 0	1	450 0 0	1
2nd Class.					450 0 0	1	450 0 0	1	450 0 0	1	450 0 0	1
3rd Class.					450 0 0	1	450 0 0	1	450 0 0	1	450 0 0	1
4th Class.					450 0 0	1	450 0 0	1	450 0 0	1	450 0 0	1
Senior Judge.					2,500 0 0	1	2,500 0 0	1	2,500 0 0	1	2,500 0 0	1
Civil and Sessions Judge, Barar.					1,833 5 4	1	1,833 5 4	1	1,833 5 4	1	1,833 5 4	1
Divisional Judge, 1st Class.									2,500 0 0	1	(A)	
Divisional Judge, 2nd Class.									2,250 0 0	1		
Divisional Judge, 3rd Class.									1,800 0 0	2		

(a) The figures in the lowest class of Assistant Commissioner (3rd or 4th at different times) represent the actual strength.

(b) The information for 1st April 1880 in respect of Barar Districts is not available.

(c) Separate appointment not necessarily held by an Indian Civil Service officer.

(d) For Barar.

(e) Addition of one post for Political Agent, Chhattoogurh, Bundelkhand, Central Provinces.

(f) Special Assistant Commissioners for Barar.

(g) One for Barar.

(h) Included among Deputy Commissioners.

(i) The appointments are held by members of the Commission and their holders are seconded and draw grade pay plus an allowance.

(j) Attached.

(k) One appointment transferred from the Barar Commission.

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33530 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present rates of pay and grading are most unsuitable, and compare most unfavourably with those in force in other Provinces. There are far too few posts in the higher grades of each rank, and the rates of pay are most inadequate when compared with those existing in other Provinces. In this Administration's letters Nos. 503-I-1-24, dated the 8th March 1909, and 1212-I-1-67, dated the 3rd July 1911, proposals were submitted for the amalgamation of the Central Provinces and Berar cadres, and the following grading and pay of Commissioners, Deputy Commissioners, and Assistant Commissioners (excluding Assistant Commissioners of the lowest class) were proposed:—

	Rs.
Commissioners, 5	5 at 2,750
Deputy Commissioners, 33	10 „ 2,250
	11 „ 1,800
	12 „ 1,500
Assistant Commissioners, 20	10 „ 900
	10 „ 700

In these letters the extremely unfavourable position and prospects of members of the Commission in these Provinces, as compared with the conditions prevailing in other Provinces, were very strongly emphasised, and reform was asked for as a matter "not of generosity but of justice." Even so, the pay and grading asked for were only based on those prevailing in the Punjab, and the Chief Commissioner now understands that the Government of the Punjab has itself recently submitted proposals for improvement of the grading and rates of pay existing in that Province, on the ground that they are markedly and unreasonably inferior to those existing in the United Provinces. ii. The cadre proposed as described in the preceding paragraph, includes (like the present cadre) certain Judgeships among the posts of Deputy Commissioner, but a scheme for the creation of an entirely separate Judicial cadre is now in course of submission. The Judgeships included in the posts of Deputy Commissioner are three Divisional and Sessions Judgeships in the Central Provinces and two District and Sessions Judgeships in Berar. As an entirely separate Judicial cadre is being proposed, these five posts must be excluded from the cadre of Deputy Commissioners, and the proposals also reduce the number of Assistant Commissioners by one post, which will be included as an inferior judicial post in the proposed Judicial cadre. Modifications of the cadre already asked for have therefore been proposed, which will result in a purely Executive cadre as follows:—

	Rs.
Commissioners, 5	5 at 2,750
Deputy Commissioners, 28	9 „ 2,250
	9 „ 1,800
	10 „ 1,500
Assistant Commissioners, 19	9 „ 900
	10 „ 700

(iii.) These are the Chief Commissioner's present proposals, but he is not prepared to say that, even if they are sanctioned, the pay and grading will not call for still further improvement at no distant date. The rates of pay asked for are only the same as those existing in the Punjab, and the grading is also based on the Punjab scale, though, as already remarked, the Punjab Government is believed to have recently protested against the inferior pay and grading of its officers when compared with those of officers in other Provinces. In particular, the Chief Commissioner doubts whether Rs. 2,750 is sufficient pay for the Commissioner of a Division, and he understands that the Punjab Government has asked that its Commissioners should be paid at a higher rate. In the United Provinces, Commissioners are paid at the rate of Rs. 2,916½, and there seems to be no adequate reason for not paying equal rates in both the Regulation and Non-Regulation Provinces of Upper India, including the Central Provinces. For all practical purposes the distinction between Regulation and Non-Regulation Provinces has now disappeared. Up to the present, however, the proposals of this Administration have amounted to no more than the modest request that its officers shall be placed in at least as favourable a position as their brethren, in the Punjab, although officers in that Province are themselves worse-off than if they served in the Regulation Provinces. (iv.) It has been mentioned above that the formation of an entirely separate Judicial cadre is being proposed, and a brief statement of the pay and grading suggested may be given here. The following cadre of Divisional and Sessions Judgeships has been proposed:—

1 at Rs. 2,750; 2 at Rs. 2,500; 2 at Rs. 2,250; 4 at Rs. 1,800; 3 at Rs. 1,500:

making 12 in all, of which, it is suggested, five should be listed for the Provincial Civil Service. It has also been proposed to raise the pay of the Second Additional Judicial Commissioner from Rs. 2,750, as at present, to Rs. 3,000. It is necessary that this officer should be paid at a higher rate than that proposed for the highest grade of Divisional Judge.

33531 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Intense dissatisfaction exists. It relates to the grading of both the higher and the lower posts, and to the pay of the higher posts. Even if promotion were normal the officers of the Province would have good cause for discontent at their extremely unsatisfactory pay and grading, as compared with those existing elsewhere, but the position of many of them is rendered still worse by the serious block in promotion which at present exists. As has been explained in the last answer, the Punjab officers are believed to be dissatisfied with their comparatively unfavourable pay and grading, but the following figures will show how badly-off are officers in the Central Provinces when compared

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even with those in the Punjab, especially in the matter of grading :—

Rank.	Pay.	NUMBER OF POSTS.	
		Central Provinces.	Punjab.
	Rs.		
Commissioner	{ 2,750	3	5
	{ 2,500	2	...
Deputy Commissioner	{ 2,250	7*	10
	{ 1,900	12†	11
	{ 1,600	14	13
Assistant Commissioner	{ 900	6	14
	{ 700	13	15
	{ 500	45	42

* Includes three Berar posts which, when held by officers of the Berar Commission, as at present, carry pay of only Rs. 1,833½.

† Includes two Berar posts which, when held by officers of the Berar Commission, as at present, carry pay of only Rs. 1,866½.

It may be mentioned that the large number of Assistant Commissioners in the lowest grade is due to the facts—(i) that the actual strength of the Commission is eight over the sanctioned strength; (ii) that the list of superior posts on which recruitment is based, is faulty by reason of the inclusion of 6 posts which are not really "Superior" [vide answer (76)].

33532 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the Provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—The Chief Commissioner is not prepared to say that there should be absolute uniformity of pay for similar kinds of work in all Provinces, but he considers that the great differences which at present exist cannot be justified. In particular, he considers that the officers of a Province should not suffer on account of its being described as "Non-Regulation," for the term is now practically meaningless. The greatest dissatisfaction exists at present among officers in the Central Provinces at the inferiority of their pay and prospects as compared with those of Civilian in other Provinces. The inferiority of the grading and pay is particularly regarded as a grievance when it is remembered that officers, on first joining the Service, have no real choice of the Province in which they are to serve, and thus a man posted to the Central Provinces is placed in a position of permanent inferiority to that of his contemporaries who go to Provinces where the conditions of Service are more favourable.

33533 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance may be abolished, provided that, in order to prevent reduction in the emoluments of officers in receipt of the allowance, their salaries are increased by an amount equal to the allowance withdrawn.

These increased salaries should be paid to future entrants also.

33534 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—A similar increase of salary should be given to those members of the Service who now draw no exchange compensation allowance. Uniformity will thus be attained, and an invidious distinction avoided. The extra cost will not be large. Moreover, Indian members of the Service have adopted European modes of life and the fall in exchange affects them seriously.

33535 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system of acting allowances, in the case of officers selected to officiate in appointments involving increased responsibility, works satisfactorily.

33536 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government, and of the officers of the service? Have you any recommendations to make for its alteration?—The system is inconvenient both to Government and to the officers concerned. Much trouble arises in gazetting promotions and reversions in consequence of the existing arrangement. Delay often occurs with the result that an officer may unexpectedly find himself compelled to refund allowances which he has drawn for two or three months, or even longer.

33537 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The Chief Commissioner believes that the members of the Indian Civil Service serving in these Provinces are unanimously in favour of the adoption of a time-scale, and last year many of them submitted memorials expressly praying for such a measure. The Chief Commissioner himself recommends the introduction of a time-scale. It should not be restricted to the lower grades of the Service, but should include all officers below the rank of Commissioner of a Division. The block in promotion is now being felt, not only in the lower ranks of the Central Provinces Commission, but also among officers who have attained the rank of Deputy Commissioner, and there can be no justification of a graded system which allows men to attain the same grade after widely different length of service. 2. Details of the scheme which the Chief Commissioner would propose will be found in answer to question (102).

33538 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

33539 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—A time-scale has now been in

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force for some years in the Forest and Public Works Departments and the Chief Commissioner believes that it has given distinct satisfaction to the officers concerned.

38540 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance? How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—In the Foreign Department's Resolution No. 2485-Est.A, dated the 1st September 1911, a time-scale has been laid down for members of the Indian Civil Service serving in the Political Department, and the Chief Commissioner thinks that, subject to some modifications, the scale there laid down is generally suitable for adoption, since it is expressly declared by the Government of India that the scale has been framed with a view to giving Indian Civilian "approximately the emoluments which they might expect to draw in the Provinces." 2. The main difficulty in considering the working of a time-scale is the question whether an officer of sufficient length of service to give him ordinarily a responsible charge like the headship of a district, should continue to receive increments of pay according to his length of service, irrespective of his actually holding such a charge or not. It may be urged that any restriction, on the ground that an officer is not holding a superior charge, is objectionable because it allows of the possibility of undeserved blocks of promotion, the prevention of which is the main object of a time-scale. In these Provinces, for instance, there are four officers in the 14th year of their service, whose pay, under the Political time-scale, would be Rs. 1,700, but on the 1st January 1913 not one of these officers was holding a superior post. This was due, not in any way to the fault of the officer concerned, but solely to the intense block that prevails, and to the unsatisfactory state of the cadre with reference to the scheme of recruitment. It might be urged that it would be unfair to deny to such officers the pay which the time-scale would allow them according to their length of service, simply because by circumstances wholly beyond their control they were debarred from charges which they were fully competent to hold. 3. Notwithstanding these considerations, however, it must be remembered that superior posts carry with them greatly increased responsibility, and, as a rule, greatly increased expenses. The Chief Commissioner is, therefore, in favour of imposing a limit to the pay that may be granted to an officer who is not actually holding a superior appointment. This principle has been adopted in the Public Works Department time-scale, and in the Political Department scale it is laid down [paragraph 4 (2) of the Resolution] that "no officer shall draw more than Rs. 1,250 a month unless he actually holds a superior post or is employed on special duty which is declared at the time to be of the nature of a superior post." The Chief Commissioner is, however, of opinion that the limit of Rs. 1,250 adopted for officers of the Political Department is too low. As has been already pointed out, there are at present officers in

their 14th year of service who are blocked from holding superior posts, and it is to be feared that this state of things will last for some time and may become even worse. The Chief Commissioner would, therefore, propose Rs. 1,400 as the limit beyond which an officer may not draw pay unless actually holding a superior post. 4. A "qualification" stage should also be prescribed, beyond which an officer should not go unless he is reported fully qualified for the charge of a superior post. For this stage the Chief Commissioner would propose Rs. 950 as a limit. It corresponds to the pay which an officer in his 8th year of service ordinarily draws under the Political Department time-scale. The Chief Commissioner thinks that there should be a further "qualification" stage for officers who, though fit for the charge of ordinary districts, are considered unfit for important and heavy charges like the Deputy Commissionerships of Nagpur and Jubbulpore. He would propose that such officers should be allowed to draw pay up to Rs. 1,800. When an officer has reached this stage, he should be declared fit or unfit for an important district. Thereafter if considered unfit for such a charge he should receive only five-sixths of the pay ordinarily drawn by efficient officers, subject to a minimum of Rs. 1,800. 5. A charge allowance should also be prescribed for a junior officer officiating in a superior charge. This allowance might be Rs. 250, subject to a proviso that the officer's total salary shall not exceed Rs. 1,500. To give some examples, the following salary would be drawn in different cases:—

Year of Service.	Ordinary pay under time-scale.	Acting allowance.	Total.
	Rs.	Rs.	Rs.
5th . . .	700	250	950
9th . . .	1,050	250	1,300
11th . . .	1,250	250	1,500
12th . . .	1,500	...	1,500

6. The pay of the post of Commissioner of a Division, or of a Judicial Commissionership (including an Additional Judicial Commissionership) or Financial Commissionership, should be fixed entirely apart from the time-scale. An officer acting in one of these high appointments should draw acting allowance calculated as at present. 7. The time-scale should be without prejudice to any special and local allowances that may exist for certain appointments. Certain extra local allowances are paid in the Political Department (*vide* paragraph 6 of the Resolution). 8. Having regard to the unwillingness of most officers to enter the Judicial Department and to the monotonous and sedentary nature of the life, it will probably be advisable to give judicial officers somewhat better rates of pay than to officers in the executive branch of the Service. No difference need exist prior to the completion of eight years' service, but thereafter the yearly increments might be somewhat increased. 9. To sum up, the Chief Commissioner's proposals are as follow:—(i) The introduction of the ordinary time-scale of the Political Department, for

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all officers below the rank of Commissioner of Division in the executive branch. (ii) A similar time-scale for judicial officers below the rank of Judicial Commissioner (including Additional Judicial Commissioner), but with somewhat larger increments after completion of the 8th year of Service. (iii) A qualifying stage of Rs. 950 as a limit for officers not declared fit for a superior post. (iv) A further qualifying stage of Rs. 1,800 for officers not declared fit for the most important district charges: thereafter pay to be only four-fifths of the ordinary time-pay, subject to a minimum of Rs. 1,800. (v) A limit of Rs. 1,400 unless an officer actually holds a superior post, or is engaged on special duty which is declared at the time to be of the nature of a superior post. (vi) A charge allowance of Rs. 250 for a junior officer acting in a superior post, subject to a maximum salary of Rs. 1,500. (vii) An officer acting as Commissioner, Judicial Commissioner (including Additional Judicial Commissioner) or Financial Commissioner, to receive acting allowance calculated as at present. (viii) Existing special and local allowances to be retained.

33541 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—The Chief Commissioner has not examined this point, but it seems to him that the question of recruitment need not present much difficulty. It may be assumed that an officer is fit to officiate in a superior post after 8 years' completed service. The proportion of men with service of 8 years or more who are normally on leave can be ascertained, and, after consideration of the average casualty rate, recruitment can be regulated so as to secure that there are always sufficient men of over 8 years' service to fill the number of superior posts, after taking into consideration the number normally on leave. Thus, if it is found, as at present, that normally 32·7 men of 8 years or more service are on leave for every 100 on duty, recruitment should be regulated so as to secure that there shall ordinarily be 132·7 men of 8 years or more service to fill every 100 superior posts. In short, the present system of recruitment may be continued. The Chief Commissioner considers that all members of the Service should have the prospect of rising to responsible posts within a fixed time provided that they are efficient. Even if secured adequate pay under a time-scale, an officer would be discouraged, and would be lowered in the estimation both of himself and of the people, if he remained in inferior posts when approaching; or after reaching, middle-age.

33542 (104). Turning now to the case of the Statutory Civilian and officers of the Provincial Civil Service holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate you do suggest for the various grades of the service?—The question of the rate of pay that should be given to the holder of a listed post depends largely,

in the Chief Commissioner's opinion, on the stage of an officer's career at which he is appointed or promoted to such a post. The Chief Commissioner is aware that such appointment or promotion at a late stage of an officer's career is open to objection that the officer may have lost energy, initiative and the habit of authority, but nevertheless having regard to the undoubted fact that Indian officers often do not fulfil the promise of their earlier years, he considers that ordinarily such officers should not be appointed to listed posts until they have rendered thoroughly efficient service long enough to make it certain that they will retain their efficiency with advancing years. An officer when appointed to a listed post will thus be—(i) fairly senior in service; (ii) very specially selected on account of possessing qualities such as sound judgment and, above all, self-reliance. The post to which he will be appointed will be one of real responsibility, and having regard to all these considerations, the Chief Commissioner thinks that such an officer should not draw less pay than Rs. 1,500 a month. This would be the substantive pay of the post; for officiating in it, an acting allowance should be drawn under the ordinary rules. After being substantively appointed in a listed post the officer should rise under a time-scale to Rs. 2,000, which might be taken as the highest pay of the Headship of a district or of a Sessions Judgeship. Should the Provincial Service Officer rise to the Commissionship of a Division or a Judgeship of the Chief Court he should draw exactly the same pay as an officer of the Indian Civil Service.

33543 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is some reason to believe that officers take more leave than was the case 15 or 20 years ago. In those days the Central Provinces Commission was seriously under strength, and it was often necessary to refuse or postpone the grant of leave.

33544 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Ordinarily all the leave on full pay due to them is taken. This has especially been the case since the rules were altered so as to allow the combination of privilege with other leave. The amount of privilege leave that can be earned appears to be suitable.

33545 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—All furlough due is not ordinarily taken. At the same time the Chief Commissioner does not recommend any reduction in the amount of furlough permissible; a total of six years in an officer's total service is not excessive.

33546 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and, if so, what change?—The maximum and minimum leave allowances

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appear to be suitable. *Alternative sterling and rupees rates.*—In 1910 a Committee was appointed by the Secretary of State to enquire into the practicability of withdrawing exchange compensation allowance and privileged rates of exchange for leave allowances and pensions. This Committee recommended that for each £100 payable as leave allowance in England, the sum of Rs. 1,333½ should be payable as leave allowance in India. The Chief Commissioner would support this proposal.

33547 (114). In particular, are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—In these Provinces close attention is paid to avoiding excessive transfers, and experience does not indicate that the leave rules materially operate as a cause of such transfers.

33548 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There is only one Statutory Civilian in these Provinces. Officers of the Provincial Service holding "listed posts" are subject to the same leave rules as the other members of that Service, and the suitability of their leave rules is dealt with in the answers regarding the Provincial Civil Service.

33549 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—The question of amending the leave rules has recently been referred by the Government of India to Local Governments and Administrations in the Finance Department's letter No. 538—C.S.R., dated the 13th September 1912. The subject is still under discussion with local officers, and the Chief Commissioner is not yet prepared to offer a final opinion or to make any detailed suggestions for amendment of the leave rules. But he is disposed, at present, to agree with the suggestions of the Government of India, which, he thinks, will certainly conduce to the convenience both of the Administration and of its officers. It would appear to be entirely desirable that the Local Administration should have power to grant all furlough and leave due to an officer, at the time when his absence will not cause inconvenience, subject to such restrictions as may be prescribed regarding the proportion of the total strength of the service that may be on leave at any one time.

33550 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—[This answer also covers questions (119) to (124) and question (125).] The Chief Commissioner does not desire to suggest any change in the main features of the pension scheme, and, in particular, he would lay great emphasis on the necessity of retaining £1,000 as the pension ordinarily to be received on retirement, as he regards this figure as a most important asset

and attraction in recruiting for the Service. With reference to question (122), however, he considers that, as has been done in the case of some of the other Services, certain Executive Officers of high rank should be granted enhanced pensions after such length of service in their appointments as may be prescribed. Under Articles 475 and 642 of the Civil Service Regulations, a pension additional to that ordinarily earned may be sanctioned in favour of certain officers of high rank in the Public Works, Forest and Educational Departments, provided that they have served for three years in such rank. A Chief Engineer, for instance, can thus earn a pension of Rs. 7,000 a year, which, when converted at 1s. 9d. per rupee, amounts to about £612. It is believed that of the annuity of £1,000 payable to an Indian Civil Servant, the amount contributed by the State is only £600, the balance being contributed by the officer himself. A Chief Engineer in the Public Works Department may thus receive a larger pension from the State than the highest Executive Officers of the Indian Civil Service. The Chief Commissioner would therefore recommend that Heads of Provinces and Commissioners of Divisions should be granted additional pensions of £500 and £200, respectively, after three years' service in their respective appointments. The proposal to give increased pensions to Commissioners of Divisions is, no doubt, open to the objection that such a measure would tend to discourage retirements, thus impeding a reasonable flow of promotion. But the necessity of rigid selection for promotion to the rank of Commissioner has now been strongly emphasised, and the due observance of this principle will counteract the force of this objection.

33551 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—Please see answer (118) first part.

33552 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—Please see answer (118) first part.

33553 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present condition?—Please see answer (118) first part.

33554 (122). Do you consider that a similar system should be applied to the cases of high Executive Officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—Please see second part of answer (118).

33555 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—Please see answer (118) first part.

33556 (124). Do you recommend the introduction of a system of reduced pensions for such

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officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The Chief Commissioner agrees with the views of the Government of India as expressed in their Despatch No. 20, dated the 19th September 1912. Ordinarily, the pension allowed should be the same as would be allowed in the event of premature retirement for reasons of ill-health.

33557 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Please see answer (118) first part.

33558 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The Chief Commissioner thinks that such officers should receive an extra pension of Rs. 1,000 a year after three years' efficient service in a "superior" listed post, and an extra pension of Rs. 2,000 a year after six years' efficient service in such a post.

33559 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The Chief Commissioner believes that officers who have retired often find it burdensome to continue their contributions to the fund, as they have to do at present. Their pensions, reduced by the payment of income-tax, are often felt to be inadequate, especially if—as is generally the case—children have to be educated or started in life. In such circumstances the burden of contributing to the fund is much more felt than during the period of an officer's active service. But exemption from contribution cannot be granted only to retired officers, or such officers will profit at the expense of others who remain in service after rendering sufficient service for retirement. The Chief Commissioner would therefore propose that all officers, whether remaining in service or not, should cease to contribute to the fund on completion of 25 years from the date on which they began their service. The rates of contribution would, of course, have to be increased.

33560 (130). In particular, do you approve of the exclusion from their benefits of "Natives of India" who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—The Chief Commissioner is of opinion that measures should be taken to include members of the Indian Civil Service who are "Natives of India" in the benefits of the Family Pension Fund. But owing to the differences between their social conditions and those of Europeans, and to the possible existence of differences in mortality-rates, it might be unfair either to the European or Indian members of the service to apply a single set of rules with uniform rates of subscription. A beginning might be made with a separate fund for Indian members,

and after sufficient experience of its working had been gained—say after 25 years—it could be decided whether amalgamation of the two branches was possible.

33561 (131). Do you recommend that such admission should be optional or compulsory?—Admission should be compulsory.

33562 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—Please see answer (130). For the reason there stated a separate fund would seem advisable at first.

Written answers relating to the Provincial Civil Service.

33563 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable.

33564 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the Central Provinces rules for employment in the Provincial Civil Service is appended. The rules are suitable:

Notification.

Nagpur, the 28th November 1910.

No. 2905.—The following rules regarding employment in the Provincial Civil Service of the Central Provinces and Berar are published for general information. Notification No. 4902, dated the 2nd June 1902, is hereby cancelled.

I.—DIRECT APPOINTMENT.

(1) Every candidate for direct appointment to the Provincial Civil Service must furnish satisfactory evidence that he is eligible under the following rules:—

(i) *Birth and Residence.*—Admission to the Provincial Civil Service is, in all Provinces, usually confined to (a) Natives of India as defined in Statute 33 Viet., c. 3, section 6, that is to say, "persons born and domiciled within the dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only," and (b) subjects of Native Princes in alliance with His Majesty; but it may also be extended to (c) Europeans who are not statutory Natives of India, provided that the sanction of the Government of India is obtained in each particular case.

(ii) Appointments in the Central Provinces and Berar will, further, ordinarily be confined to natives, or permanent residents, of these Provinces, but may be given to others who have recently

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resided for three years within the Provinces, or, in very exceptional cases, to outsiders.

(iii) In making appointments the Local Administration will secure as far as possible due representation in the public service of the different classes of the community.

(2) *Age*.—A candidate must not be over 25 years of age except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial Branch (Civil Service Regulations, Article 51).

(3) *Educational qualifications*.—(i) A candidate must have passed the B.A. or B.Sc. Examination of a University, or, in the case of a European or Eurasian, have received an education which, in the opinion of the Chief Commissioner, will fit him for the discharge of the duties of an officer of the Service.

(ii) A thorough knowledge of either Hindi or Marathi, including ability to write and read the written character with facility, is necessary.

(iii) No Barrister, Advocate, or Pleader will be appointed as such to the Judicial Branch unless he has been at least three years actually practising his profession in India and can speak either Hindi or Marathi.

(4) He must be of sound health, good physique and active habits, and must have been successfully vaccinated or have had small-pox.

(5) He must be of good character.

II.—INDIRECT APPOINTMENT.

Officers of the Subordinate Civil Service or of the Police, or other Departments, may, at the discretion of the Chief Commissioner, be appointed to the Provincial Service on the grounds of good service and suitability for such appointment.

III.—PROBATION.

(1) Every person appointed to the Provincial Civil Service, whether by direct recruitment or otherwise, shall be on probation for the first two years of his service, unless the Chief Commissioner in any special case declares such probation unnecessary.

(2) During the period of probation the prescribed Departmental examinations must be passed.

IV.—PROMOTION.

(1) Promotion up to the grade of Rs. 400 will ordinarily be made by seniority, but the Administration reserves the right to promote without regard to seniority. To any grade above that of Rs. 400 promotions will not be made by mere seniority, but by seniority qualified by selection on account of efficiency. Seniority alone will not be considered as giving any claim to promotion.

(2) (i) The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Service.

(ii) In the case of Judicial Officers the Government of India will only exercise this power on behalf of Barristers, Advocates, or Pleaders of the High Court who have shown distinguished ability in the exercise of their profession for not less than ten years, and have a thorough knowledge of the vernacular.

V.—DISMISSAL.

No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a Judicial, or formal Departmental, enquiry.

[NOTE.—Here followed the Resolution printed on pages xxxiii-iv of this volume. It has therefore not been reproduced here.]

33565 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The figures for the Central Provinces in Appendix B require modifications as noted below:—(i) The number of appointments of Extra Assistant Commissioners in the Executive Branch on Rs. 400 should be 24 and not 23, since an appointment on that pay was sanctioned in January 1900 for the appointment of Oriental Translator. The total for the Executive Branch will be 99 accordingly instead of 98. (ii) The number of appointments of Subordinate Judges in the Judicial Branch on Rs. 300 should be 17 and not 16, as a post on that pay was added in October 1910 for the Deputy Registrarship of the Judicial Commissioner's Court. The total number of appointments for the Judicial Branch will therefore be 49 and the grand total 148 instead of 146.

33566 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—The system of recruitment has always been the same, *viz.*, direct appointment of non-officials and selection of officers from other Services, especially the Subordinate Civil Service. Appended is a table showing for each of the last 20 years the number of recruits:—(i) from other Services; (ii) from among non-officials.

Statement showing the number of officers recruited year by year in the Central Provinces and Berar Provincial Service.

Year.	From other services.			From non-officials.			Total.
	Executive.	Judicial.	Total.	Executive.	Judicial.	Total.	
1893	6	7	13	2	3	5	18
1894	4	1	5	...	1	1	6
1895	4	2	6	...	...	...	6
1896	5	2	7	1	...	1	8
1897	2	...	2	...	1	1	3
1898	3	...	3	...	...	...	3
1899	4	...	4	...	5	5	9
1900	5	1	6	1	2	3	9
1901	10	4	14	1	11	12	26
1902	2	2	4	...	...	...	4
1903	5	3	8	2	1	3	14
1904	2	2	4	1	...	1	5
1905	9	...	9	1	...	1	10
1906	12	...	12	4	...	4	17
1907	9	...	9	1	...	1	10
1908	14	...	14	3	...	3	17
1909	2	4	6	6
1910	3	6	9	9
1911	2	1	3	2	...	2	5
1912	1	...	1	1	...	1	2
Total	108	35	143	20	24	44	187

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33567 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—Messrs. May, Chisholm and Marriott were recruited as Extra Assistant Commissioners in 1892, *i.e.*, before the Provincial Service was constituted under that name. The two first named are still in the service; the third is dead.

33568 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—The Chief Commissioner would retain the present system of recruitment, *i.e.*, nomination and selection, but he thinks that selection from among the nominees—whether already in Government service or not—might well be entrusted to a Board. The members of this Board might be the Judicial Commissioner, the Financial Commissioner, and a non-official member of the Provincial Legislative Council.

33569 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Exact statistics are not readily available, but recruitments of outsiders in recent years have been rare. The Chief Commissioner considers that ordinarily only residents of the Province should be recruited, and express provision to this effect exists in the rules.

33570 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—In the Provincial Service (including both branches, Executive and Judicial) the different classes and communities are represented as follows:—

Marathas	58
Non-Marath Hindu	36
Muhammadians	30
Anglo-Indians	16
Parsis	6
Indian-Christian	1
Jew	1
Total	148

It is desirable to secure that all classes and communities should be represented, but no special arrangements are necessary to secure this object, if, as the Chief Commissioner recommends, appointment continues to be made by selection.

33571 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—As regards probation, please see Rule III (1) and (2) of the Rules which have been supplied as requested in question (2). As regards training, officers of the Judicial branch have already been trained as Munsifs, as no outside recruitment to Subordinate Judgeships is made in these Provinces. In the Executive branch the system of training

is the same as that of junior Indian Civilians. Recruits are posted to districts, are given minor magisterial and revenue powers and prepare for their Departmental Examinations. Officers recruited from the Subordinate Civil Service ordinarily need less training before being given full powers, as they have often had long experience of executive and criminal work, and have already made some progress in passing the Departmental Examinations. This system appears to be quite satisfactory.

33572 (10). Is the existing system of Department Examinations suitable, and, if not, what changes do you recommend?—The existing system is suitable.

33573 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—The Chief Commissioner has no change to recommend.

33574 (12). What is the system on which the strength of the ^{Executive} Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—*Executive Branch.*—First the number of inferior charges in the Province is counted up, including the number of deputation charges shown by experience ordinarily to be necessary. From the figure thus obtained, there is deducted the number of posts to fill which junior members of the Indian Civil Service of theoretically from 2 to 8 years' service are available. The balance is the number of appointments to be arranged for in the Provincial Service. To the total is added, in the lowest grade, a number of posts to form a leave-reserve, equivalent to 14 per cent. of the total. The following table shows how the present strength of the Executive branch was fixed in these Provinces:—

(a) Ordinary district work	60
(b) Foreign Service	3
(c) Assistant Settlement Officers	8
(d) Assistant to Director of Agriculture	1
(e) Personal Assistant to Excise Commissioner	1
(f) Excise work in districts	10
(g) Special duty	3
	86

Add—

Leave reserve at 14 per cent. calculated on the above 86 posts and on 1 or 2 Deputy Commissionerships listed as open to the Provincial Civil Service

12

Add—

1 post subsequently added for Oriental Translator

1

99

Judicial Branch.—Here the strength of the Service simply depends on the number of officers required to man the Courts of District Judge and Subordinate Judge, after deducting 2 District Judgeships in Berar and 3 in the Central Provinces manned by officers of the Commission. The

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present system of fixing the strength appears to be quite satisfactory, in the case of both the Executive and Judicial Branches.

Recent proposals for revision of the cadre.

It has recently been proposed to revise the Excise administrative arrangements of the Province, and among the proposals in this connection is one for the abolition of the posts of Excise Extra Assistant Commissioner. Opportunity has, at the same time, been taken to propose a revision of the Executive cadre of the Provincial Service, and as the ordinary needs of the Province have expanded, holders of the Excise posts will be utilized for other purposes. The estimated requirements of the Service are—

(a) Ordinary district work . . .	69
(b) Foreign Service . . .	7
(c) Assistant Settlement Officers . .	6
(d) Special duty . . .	4
(e) Oriental Translator . . .	1
TOTAL	87

Add—

Leave reserve at 14 per cent. on the above 87 appointments and 2 or 3 Deputy Commissionerships (including proposed new "listed" appointment of Inspector-General of Assessed Taxes, etc.) . . .	13
TOTAL	100

33575 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The Judicial branch of the Provincial Civil Service has no leave reserve. The Executive branch has a leave reserve of 12 posts out of a total of 99. During the last 5 years since this cadre was introduced the average number of officers absent on leave (including Mr. Chitnavis, Deputy Commissioner, who, for purposes of fixing the strength on which the leave reserve is calculated, is counted as a member of the Executive branch of the Provincial Service) has been only 10·7, and although it has occasionally been necessary to postpone the grant of leave to officers applying for it, the leave reserve appears to be generally adequate. The leave reserve of 12 posts forms the lowest grade (Rs. 200) in accordance with the usual practice in self-contained Provincial Services. This system of grading the leave reserve seems quite suitable. It seems reasonable that the holders of appointments that would not be created at all if the whole staff was always on duty, should be graded lowest of all.

33576 (14). Is there any reserve for officers under training and is it adequate?—The only reserve for officers under training consists of the probationers, who are in addition to the sanctioned strength. The maximum number of probationers allowed is 7, as approved by the Secretary of State on the Government of India's proposal contained in their Despatch (Finance Department) No. 322, dated the 22nd August 1907. The Government of India then proposed as follows:—"We agree that the Chief Commissioner may be allowed to appoint probationers as he thinks necessary, but

.....we recommend that the number of probationers at any one time should never exceed the normal number of two years recruits. The normal rate of recruitment of a service recruited in India being 3·82 per cent. of the strength, the number of probationers for the Provincial Service, Executive branch, should be limited to 7." This number is more than adequate as recruitment is made largely from the Subordinate Service, and only to a less extent from outside. At present there are only three probationers.

33577 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—There is no fixed annual rate of recruitment. Recruitment is made to fill existing vacancies only, and is not put at an annual figure. Recent experience indicates that the normal rate of recruitment may be taken, in the Executive branch, as 5 on a total strength of 99, viz., 3·6 representing recruitment by promotion and 1·4 representing recruitment by nomination. The Judicial branch is simply recruited from the rank of Munsifs as vacancies occur. The present cadres have been in existence only 5 years and it is somewhat too early to say whether an even flow of promotion is secured. There is some immediate prospect of a slight block in promotion in the Executive branch, but it will disappear in three or four years, after which promotion seems likely to be reasonably rapid. In the Judicial branch, some of the Subordinate Judges appear to be faced with a serious block in promotion, but the scheme, now in course of submission, for a reorganization of the Judicial Department, will entirely change the conditions, if it is sanctioned, and will greatly improve the prospects of these officers.

33578 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Rule IV (1) of the Central Provinces Rules regarding employment in the Provincial Civil Service lays down that "to any grade above that of Rs. 400 promotions will not be made by mere seniority but by seniority qualified by selection on account of efficiency." In recent years in the Executive branch only one officer has been superseded for promotion under this rule. In the Judicial branch six officers have been superseded for permanent promotion to the rank of District Judge, the lowest pay of which is Rs. 500.

33579 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The rules provide for selection to grades above that which carries pay of Rs. 400 a month, and the Chief Commissioner would maintain the provision. Inefficient officers should be compulsorily retired, and a pension should be allowed on the same scale as if the officer were compelled to retire prematurely on account of ill-health.

33580 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and; if so, in

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what direction?—The Provincial Service is divided into two entirely separate branches, Executive and Judicial. *A.—Criminal.*—Officers of the Executive branch try original Criminal cases as Magistrates. Officers of the Judicial branch, most of whose work is concerned with Civil cases, are sometimes appointed Additional Sessions Judges, and that to extent perform Criminal judicial work. The members of the service who are Sessions Judges are entirely Judicial officers. *B.—Civil.*—Civil cases in all stages are tried almost exclusively by Judicial officers who have no executive functions. The only exceptions are necessitated by the provisions of the Tenancy Act. Under section 97 of that Act, original suits between landlords and tenants as such, must be tried by a Revenue officer. Such are (i) suits for ejectment of a tenant, (ii) suits to recover possession after illegal ejectment, and (iii) suits for arrears of rent. These are triable by officers of the Executive branch, who, for this purpose, are appointed Additional Subordinate Judges, but appeals from their decisions lie to Judges who have no executive functions. Similarly, under section 85 of the Tenancy Act, orders for the ejectment of a tenant in execution of a decree for arrears of rent must be executed by Revenue officers (who are members of the Executive branch), but in such cases the Appellate Court is also that of a Revenue officer. Under section 68 of the Code of Civil Procedure decrees for the sale of interests in agricultural land are transferred to the Collector for execution, and the functions of the Collector in such cases are exercised only by officers of the Executive branch of the service. Appeals in such cases are also decided by officers of the Executive branch. *C.—Revenue.*—Both original and appellate revenue cases are decided by officers of the Executive branch.

33581 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The Chief Commissioner is satisfied with the designation.

33582 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The Chief Commissioner accepts this principle as suitable.

33583 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The information is given in the appended statement. 2. The last general revision was effected in 1907, and took effect from the 1st January 1908. Up to that time both Executive and Judicial officers were styled Extra Assistant Commissioners and, though for accounts purposes they were regarded as being on one list, they had actually been divided into two branches by executive order of the Chief Commissioner. The

following figures show the effect of the revision:—

Rate of pay. Rs.	EXECUTIVE POSTS.		JUDICIAL POSTS.	
	Before revision.	After revision.	Before revision.	After revision.
800	2	2	1	2
700	1	3	2	3
600	4	6	4	6
500	10	14	8	5
400	15	23	13	17
300	18	24	14	10
250	14	14	10	...
200	15	12	8	...
TOTAL	79	93	60	48

Under this revision officers of the Judicial Department ceased to be called Extra Assistant Commissioners. The four grades of Rs. 500 and above were filled by "District Judges" and the lower grades of Rs. 400 and 300 by "Subordinate Judges." 3. Prospects in both branches were improved by increasing the number of posts. (The reduction of judicial posts from 80 to 48 was no real reduction in the strength of the Judicial Service, for posts on Rs. 250 and Rs. 200 were included in the cadre of Munsifs in the Subordinate Service and there was an increase from 42 to 48 in posts carrying Rs. 300 and over.) In the Executive branch the percentage of posts carrying Rs. 500 and over rose from 21.5 to 25.5, but on the whole, having regard to the total number of posts, there was no great improvement in the grading. 4. In two ways, however, officers of the Judicial branch benefited by the revision as compared with their brethren in the Executive branch:—(i) Prior to the revision the cadre was "self-contained," with a leave reserve for vacancies. An officer going on leave or otherwise absent thus gave no officiating promotion to his juniors. This position remained, and still remains, unaltered in the Executive branch, but in the Judicial branch the cadre is an "open" one. Leave vacancies among District Judges are filled by the promotion of Subordinate Judges, who draw pay as officiating District Judges. Similarly vacancies among Subordinate Judges are filled by Munsifs who draw pay as officiating Sub-Judges. (ii) Officers on pay exceeding Rs. 500 draw travelling allowance at first class officers' rates, vide Appendix 18 referred to in Article 1002 of the Civil Service Regulations, while those whose pay is Rs. 500 ordinarily draw at second class officers' rates. District Judges of the lowest grade, however, though drawing only Rs. 500, were included, under the revision, as first class officers for purposes of the travelling allowance rates: vide Appendix 18 referred to in Article 1002 of the Civil Service Regulations. In the Executive branch an officer

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on Rs. 500 is only granted travelling allowance at second-class officers' rates.

Main Grades of the Provincial Civil Service.	1800.		1900.		Rate of pay.	1912.		
	Rate of pay.	Number of posts.	Rate of pay.	Number of posts.		Number of posts.		
						Executive.	Judicial.	Total.
1st Grade . . .	...	...	...	...	800	2	2	4
2nd " . . .	...	...	700	1	700	3	3	6
3rd " . . .	600	2 (e)	600	0* 2(c) } 8	600	6	5	11
4th " . . .	500(a) 500	5 2(c) } 7	500	12 2(c) } 14	500	14	5	19
5th " . . .	400(b) 400	7 5(c) } 12	400	13* 6(c) } 19	400	24	17	41
6th " . . .	300(c) 300	9 4(c) } 12	300	12* 4(c) } 16	300	24	17	41
7th " . . .	250(d) 250	9 0(c)	250	7 6(c) } 13	250	14	...	(A) 14
8th " . . .	...	...	...	...	200	12	...	(A) 12
Temporary Extra Assistant Commissioners . . .	...	...	230	8	200	4	...	4
Probationary Ex- tra Assistant Commissioners . . .	...	...	...	...	100-200	2	...	2
Officiating Extra Assistant Com- missioners . . .	250	7	(f) 250	10 4(c) } 23	...	...	...	...

(a) Then called 1st Class.

(b) " 2nd "

(c) " 3rd "

(d) " 4th "

(e) Now "Extra Assistant Commissioners.

(f) On different rates of pay, viz., Rs. 250, 251½, 250 and 200.

(g) Executive Officers only. Judicial Officers on pay of Rs. 250 and Rs. 300 are included in the Subordinate Judicial Service.

* One kept vacant pending absorption of a "listed" post of Assistant Commissioner.

would recommend two special grades of Rs. 900 and Rs. 1,000 in the Executive branch. The present grading is also somewhat unfavourable, and in both branches of the service the number of posts in the lower grades is somewhat too large. No special hardship has, however, yet been felt on this account, as there have been, from time to time, such large increases of the cadre, accompanied by revision of the grading, that promotion has been reasonably rapid. In a subsequent answer the Chief Commissioner proposes the introduction of a time-scale, and if this measure is adopted it will put an end to all risk of hardship on account of unfavourable grading and unequal promotion. If, however, the graded system is retained it will probably soon be found advisable to revise the grading in both branches of the service. Proposals are already in course of submission for an entire reorganization of the Judicial Department, and so far as this reorganization concerns the Provincial Civil Service, the grading proposed compares as follows with that now in force:—

Rate of pay. Rs.	NUMBER OF POSTS.	
	At present.	As proposed.
800	2	2
700	3	3
600	5	5
500	5	8
400	17	13
300	17	16
Total	49	47

33585 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The Executive branch of the service is "self-contained." It includes a leave-reserve, and no officiating promotion is given. The Judicial Branch consists of (i) District Judges and (ii) Subordinate Judges. When a Subordinate Judge officiates as a District Judge he receives the pay of the post in which he officiates, and to this extent officers of the Judicial Branch receive the benefits of officiating promotion. The absence of officiating promotion is undoubtedly regarded as a grievance by members of the Provincial Service, but it can quite reasonably be justified on the ground that in each branch of the Service practically all officers perform similar duties, whatever may be their grade. The Chief Commissioner is, therefore, not prepared to recommend any change of practice in this respect, even if the graded system is retained. In a subsequent answer, however, he proposes the introduction of a time-scale, and if this measure is adopted it will put an end to all grievances which arise by reason of the inconveniences of the graded system.

33586 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are

33584 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In these Provinces the lowest grade of the Executive branch of the service carries pay of only Rs. 200 a month, and the Chief Commissioner understands that in no other Province is there a grade on so low a rate of pay. Apart from the fact that this rate of pay is insufficient to attract the class of man whom it is desirable to recruit, inconvenience arises when a first grade Tahsildar is promoted to the Provincial Service, since such an officer is already in receipt of a salary of Rs. 250. In such a case either a personal allowance of Rs. 50 has to be given to the officer thus promoted or he has to be placed at once in the Rs. 250 grade remaining at the bottom of that grade until all the men of the Rs. 200 grade, who joined the Provincial Service before him, have been promoted to the Rs. 250 grade and placed above him. Such an officer may thus spend many years without any rise in pay sufficient to enable him to maintain a style of life befitting his improved status. The Chief Commissioner considers that Rs. 250 a month should be the very lowest rate of pay granted to an officer of the Provincial Service. The pay of the highest grade is Rs. 800 a month. For reasons that will be explained in answer to question (29) the Chief Commissioner

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in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—A time-scale is eminently suitable for the Provincial Civil Service, since in each branch, Executive and Judicial, practically all officers perform duties of the same nature, whatever may be their grade. The Chief Commissioner believes that there is a strong feeling among the members of the service in favour of a time-scale, and he himself recommends its adoption. Details of the scheme recommended will be found in answer (29).

33587 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

33588 (29). If you recommend any kind of time-scale of pay—please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in Provinces where the scale of pay of the Executive and Judicial branches of the service is different?—In his answer to question (24) the Chief Commissioner has recorded his opinion that Rs. 250 should be the lowest rate of pay given to an officer of the Provincial Civil Service, and that there should be a possibility of rising to Rs. 1,000. The Chief Commissioner would recommend a time-scale of pay rising from Rs. 250 to Rs. 800, with two special grades of Rs. 900 and Rs. 1,000, each containing, say, two appointments for the Executive Branch. The number of listed posts open to members of the Executive Branch will be strictly limited according to the proposals already made. In the Judicial Branch, on the other hand, promotion to a listed post will be of comparatively frequent occurrence. To compensate the Executive Branch, which also contains a much larger number of officers, for their smaller prospects of promotion appears therefore to be desirable. The posts on Rs. 900 and Rs. 1,000 would only be given by very special selection. A suitable time-scale would be as follows:—

3 years in Rs. 250 grade; time spent as a probationer to count, even though the pay granted to a probationer may be less than Rs. 250.

4 years on Rs.	{	300
		400
		500
		600
		700

An officer, whose promotion has not stopped for lack of efficiency, as explained below, would thus draw Rs. 800 after completing 23 years' service. An officer selected for one of the special posts on Rs. 900 or Rs. 1,000 would ordinarily be in the Rs. 800 grade, but as such selection would only be made on the grounds of exceptional merit, the officer selected might be taken from a grade below that of Rs. 800, if no officer on such pay was deemed to be sufficiently meritorious to deserve one of the special posts. It might even in certain circumstances be necessary to keep one of the special posts temporarily vacant, if amongst the

comparatively senior men there was no one of outstanding talents. Promotions above Rs. 500 should be subject to the officers being declared really efficient. Any existing local or special allowances should continue. As regards the Judicial Branch, the Chief Commissioner, in his proposals (now in course of submission) for reorganization of the Judicial Department, is suggesting Rs. 300 as the pay of the lowest grade. There is no longer direct recruitment to the Provincial Judicial Service, and entrants have to serve as Munisifs for some years before admission. The time-scale in the case of Judicial officers should start at Rs. 300, and would then follow the same course as for Executive officers. But as already explained, there is no necessity for creating prize posts for this service, as has been recommended in the case of the Executive Branch.

33589 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is no reason to suppose that officers take materially more or less leave than formerly.

33590 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Ordinarily, yes. But the Chief Commissioner believes that some officers are deterred from taking privilege leave owing to fear of a transfer on return to duty. Close attention, however, is paid to avoiding excessive transfers, which are certainly less frequent now than was formerly the case.

33591 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—In their letter No. 674-C. S. R., dated the 18th October 1912; the Government of India, in the Finance Department, have proposed, as in the case of the European Services, to abolish certain restrictions on the grant of leave and on the combination of different kinds of leave. The proposal is still under the Chief Commissioner's consideration, and he is not yet prepared to give a final opinion. But he is disposed, at present, to agree with the proposals of the Government of India, as he regards them as likely to benefit distinctly the interests of both the Administration and its officers.

33592 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—Close attention is paid to avoiding excessive transfers, and the leave rules do not contribute materially to such transfers.

33593 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The Chief Commissioner is not prepared to recommend the complete assimilation of the leave rules applicable to the European and Indian Services, but he considers that some of the present leave rules require amend-

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ment in the interests of the latter. Under the present rules ten years of service must be rendered before furlough is first taken, and a subsequent interval of 8 years must elapse before it is taken again. This is a hardship which will be removed if furlough earned is allowed to be taken at any time, subject to the exigencies of the Public Service. Again, at present an officer can obtain 5 years' leave in the course of his service, but 3 out of the 5 years can be obtained only on medical certificate. This restriction might fairly be abolished. The Chief Commissioner does not apprehend that the changes proposed would result in a material increase of the amount of furlough taken. Officers of the Provincial Service are generally reluctant to take furlough, as they prefer to remain on duty on full pay rather than take furlough on reduced pay. This, however, does not in the Chief Commissioner's opinion indicate that the furlough allowances should be increased. Most of the officers concerned are serving in their own country, and ordinarily the privilege leave that they can earn is sufficient either to enable them to attend to any private matters which may require their presence, or to give them such rest and relaxation as may be necessary.

33594 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system is satisfactory.

33595 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what, and for what reasons?—None.

33596 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The Chief Commissioner considers the rules satisfactory.

33597 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Out of 148 members of the Provincial Civil Service, 77 subscribe to the Government General Provident Fund as follows:—

At 12½ per cent.	49
“ 9½ “ “ “	4
“ 7½ per cent.	1
“ 6½ per cent.	23

MR. J. HULLAH called and examined.

33598. (Chairman.) You are here, I understand, to answer questions on the statement put in by the Local Government?—Yes.

33599. In what year was Berar amalgamated with the Central Provinces?—Towards the end of 1903.

33600. The complications and troubles from which you are suffering here are due in a measure to that amalgamation?—Yes, some of the complications are, but I would not include the troubles.

33601. How many of the officers of the old Berar Commission are there left?—Eleven.

33602. You have applied for your two cadres to be combined in one cadre. Has sanction been granted?—No, the amalgamation has not been sanctioned yet.

33603. You say that the listed posts consist of four headships of Districts, and two Divisional Judgeships. Is this correct? I am asking because I notice that Mr. Nelson, who is to come before us next week, says that the correct figures are two headships of Districts and two Judgeships and two posts which must be either the former or the latter?—That is what the Chief Commissioner recommended.

33604. Are those the actual figures to-day?—No, the Government of India and the Secretary of State did not accept that recommendation, and, as far as the figures at present sanctioned go, there are four District headships and two Judgeships. I think that is correct. That is how the Government of India have read the position.

33605. I notice that you and other witnesses have raised strong objections to the listing of the three Berar posts on the ground that the vested interests of the Service have been interfered with?—Yes.

33606. Apart from the Berar listed posts, how many listed posts have you for the Central Provinces?—Three listed posts, one headship of a District, one Judgeship, and one in the alternative, either a headship of a District, or a Judgeship.

33607. I presume that as each occupant of a Berar listed post withdraws his post will become available for the Provincial Civil Service?—Yes, and, possibly, I should think, they would be eligible whenever any of the officers now holding them go on leave; the officiating vacancy will go to a Provincial Civil Service man.

33608. So that ultimately these posts will become listed for the Provincial Civil Service?—Yes.

33609. With reference to your answer to question (72) I am right, am I not, in assuming that if the eight years' period were reduced there would be a corresponding reduction in the inferior posts and in the leave and training reserve, and that would entail a diminution in the number of junior officers?—Certainly.

33610. Are you in a position to tell us whether the administration of this Province could be carried on with fewer junior officers in the Indian Civil Service?—No, I do not think it could. I think the number of inferior posts just about meets the requirements of the Province now, and if they were reduced it would be difficult to find sufficient men to fill district requirements.

33611. You say there are six so-called superior posts in your cadre, which need not necessarily carry superior pay, and that this is one of the reasons for the block in promotion in your service. Why cannot senior officers be appointed to these posts? If senior officers were appointed, would not your difficulty be largely got over?—Yes, it would; but four of them are Settlement officerships, and Settlement officers are not allowed to take any leave except privilege leave, and men

* A note by the Chief Commissioner is printed as Appendix I.

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of standing do not care to take posts which will prevent them from taking leave for a long period. Some settlements last quite a long time, sometimes five years, and they have been known to last seven years.

33612. You think that that would be an insuperable difficulty in the way of appointing senior officers?—You could say to the officer: “You must take Senior Settlement” and he must then do so. You are generally allowed an option. I was myself allowed an option to take a Settlement or not.

33613. Has any recommendation been made by your Government to remedy this difficulty?—No, none.

33614. You say that you have now four officers, whom you name, on deputation under the Government of India?—Yes.

33615. As a matter of fact at the present time, counting these who are on deputation, you have seven altogether, have you not?—There are the four officers already mentioned; then there is Mr. Sly, that makes five. I do not know whether you would count Mr. Barr. I cannot recall the seventh.

33616. In what way has the reduction in the number of Government of India posts for which you recruit really hurt the Service?—I do not think the reduction of Government of India posts has hurt the Service at all. I do not think it is in any way implied that it has hurt the Service.

33617. You have dealt exhaustively, and we are grateful to you and to your Government for it, with all the conditions of service, salary, leave and pension. The whole scheme has been so explicitly put before us that I do not think there is any necessity for me to cross-examine you at any length upon it. Perhaps you would put in copies of the correspondence with reference to the pay and grading of officers in the Central Provinces, and the Berar Commission, which you have referred to in your answer to question (92)?—Yes, certainly, I will put it in.

33618. I may take it, I presume, that the proposal made there for regrading is now superseded by a proposal for a time-scale?—If we could get a time-scale, I imagine we shall abolish grading altogether.

33619. Am I correct in understanding that of the two you would prefer the time-scale?—I would, and I believe nearly all the members of the Service in the Province would.

33620. You say that the Chief Commissioner would suggest recruitment for the Provincial Civil Service through the medium of a Board with a non-official element upon it. Can you tell us whether there is any precedent for this proposal?—No, I know of no precedent for it.

33621. It is a new and original suggestion?—Yes, I believe so.

33622. Can you tell us how many officers have actually been passed over and left in the grades of Rs. 400 and under, in the Provincial Civil Service?—There have been seven such officers in the Executive and five in the Judicial Branch.

33623. I take it generally that what you are really pressing for to get over your difficulties, both in the Indian Civil Service and in the Provincial Civil Service, is the establishment of a time-scale?—Yes.

33624. (*Lord Ronaldshay.*) In answer to the Chairman you said that the number of inferior posts now filled by officers of the Indian Civil Service was the minimum necessary for efficient administration, did you not?—Yes, that is what I meant to be understood.

33625. You mean by that that in your opinion the efficiency of the Administration might suffer if you were to reduce the number of inferior posts filled by Indian Civil Service officers, and filled them instead by Provincial Civil Service officers?—I think so.

33626. But if that is so it seems to me that the only way in which you can get over difficulties in the way of blocks in promotion would be by creating an additional number of superior posts, would it not?—Yes, if you are going to retain the present system of recruitment. You must create more superior posts if you want more inferior posts.

33627. It is the position at the present moment that you have more inferior posts filled by Indian Civil Service men than are required to recruit your superior posts?—Yes.

33628. And at the same time you think you have not too many inferior posts filled by Indian Civil Service men?—My meaning was that the number allowed under the scale of recruitment gives us just the right number of men in the inferior posts; that is to say, an allowance of 30 per cent. of the superior posts works out at twenty men, and twenty is just now about the number which is required.

33629. You think the model figures are correct?—Yes, I think the model figures are correct.

33630. Is your grievance that these model figures are exceeded as far as the inferior posts are concerned?—Yes.

33631. That does not get me over the difficulty yet, because I understand you to say that the number of inferior posts now filled (not the theoretical number, but the actual number) by the Indian Civil Service men is the minimum necessary for efficiency in the Administration?—I did not mean to say that at all; if I did say it that was not my meaning. We may have even too many, or rather more than are needed to fill the inferior posts. As a matter of fact, with our Settlement officers there may be.

33632. Then I may take it that at the present moment you have more Indian Civil Service officers filling inferior posts than are necessary for the efficiency of the Administration?—I think so.

33633. With regard to the posts you have just referred to, that is to say the posts of Settlement officers and the Director of Agriculture and the Registrar of Co-operative Credit Societies, is your demand that a definite salary should be attached to these posts making them superior posts, and that the pay should not depend upon the grading of the officer, who fills them?—Yes, I think so. As regards the Settlement officerships, and as regards the Directorship of Agriculture, and the Registrarship of Co-operative Credit Societies, I would insist that these posts must be held by a Deputy Commissioner, a man taken out of the ranks of Deputy Commissioners, I would not mind what grade, seconded, and another man put in his place.

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33634. If that was done, of course, those posts would become, *ipso facto*, superior posts?—Yes, exactly the same as the Inspector Generalship of Police.

33635. So that so far as those two posts are concerned, your difficulty would be got over if your suggestion is carried out, namely, that they should be filled by Deputy Commissioners?—Yes.

33636. But with regard to the four Settlement officers' posts, would you say that each of those posts must carry with them a salary of, say, Rs. 1,000 or upwards, or whatever you think necessary; and that that salary should be paid to the officer who holds these posts quite irrespective of the grade which he may occupy in the Service?—It is very difficult, but I think I would recommend that. I would make the pay large enough to make it worth the while of a man of nine or ten years' service to take those posts. You might have one of Rs. 1,400, one of Rs. 1,300, one of Rs. 1,200, and one of Rs. 1,100, and let the actual holders draw the pay.

33637. In that case they would be generally filled by a man who had had his first furlough; and that would get over the difficulty of no furlough being allowed to a man occupying those posts?—Yes.

33638. How does the position which I find described in your printed answer arise? The great grievance from which you are suffering in this Province is that a large number of officers of more than eight years' service are forced to occupy inferior posts. I see that you give us a table, which shows us, specially in the year 1910, a very considerable number of names of officers of less than eight years' service who are occupying superior posts. I want to know how that arises in view of the fact that it is such a grievance with you that you have so many officers of more than eight years' service who are not occupying superior posts?—In that period, the last half of 1909, and practically the whole of 1910, the number of superior officers on leave was abnormally great. I have worked it out, and find that the number of superior men who were on leave was large and promotion was temporarily quite good in that period of a year and a half.

33639. Then the fact that in those two years you had so many junior officers filling superior posts was entirely due to the very large amount of leave taken?—Yes.

33640. What are these Deputation posts which you speak of. In 1912 I see there were six officers actually on deputation. Could you tell us briefly, what the posts were which they were occupying?—In 1912 four was the maximum.

33641. Four was the maximum at any one time, but in January 1912 there was Mr. Phillips, Mr. Marten, Mr. Leftwich and Mr. Bathurst, and in July the same year there was Mr. Maw and Mr. Findlay, who were getting Deputation posts?—Mr. Phillips was an Additional Member of the Legislative Council. Mr. Marten was in charge of the Census operations. Mr. Leftwich and Mr. Bathurst were enquiring into grazing in Government forests. In July, Mr. Maw, I think, was just marking time before he could take over the office of Chief Secretary. He arrived too soon. I think his deputation was

only for a few days. He was put on special duty in the Secretariat. Mr. Marten was in charge of the Census, and Mr. Findlay was on special duty in connection with the proposed Legislative Council in these Provinces.

33642. With regard to your answer to question (88) you say that the junior members of the Judicial Branch are also sometimes given Magisterial work in order to train them to Sessions Judgeships. At what age do officers of this Province join the Judicial line, that is to say, after how many years' service?—It varies a good deal; but I think on an average it is after about three or four years' service. I have not looked that point up; but I think that is the case.

33643. The Magisterial work they get during their first three or four years' service is not always considered to be sufficient to train them for their future work as a Sessions Judge?—I do not know that I can say that that is the case; but there can be no harm in allowing a man who is a District Judge or a Subordinate Judge to take still further criminal work in order to make him still more fit for a Sessions Judge.

33644. When he does that, does he take part of the work of the District Officers?—Yes. He is generally a first class Magistrate given first-class cases to try.

33645. At the bottom of your Statement showing the rates of pay, and the number of posts in each of the main grades of the Service, I see the pay of Divisional Judges in the second class is Rs. 1,400, and of Divisional Judges of the third class Rs. 1,333. That is clearly a misprint, is it not?—Yes, that must be wrong.

33646. Do you know what the correct figures ought to be?—No, I cannot say offhand. I shall have to look it up.

33647. Will you have that corrected?—Yes, I will.

33648. With regard to the provision which officers of the Provincial Civil Service are able to make for themselves and for their families on retirement, you say that roughly speaking half the officers in the Provincial Civil Service subscribe to the General Provident Fund. In some Provinces we have had evidence to the effect that the provision which a man can make by subscribing to the General Provident Fund does not always meet the case. It does not, for instance, meet the case of a man who dies almost immediately after he leaves the Service, or possibly when he is about to retire. In that case no provision is made for his family, and I want to know whether you can tell us if there is any demand in this Province for something in the nature of a Family Pension Fund for the Provincial Civil Service?—I am afraid I do not know. Not so far as I know.

33649. Do you think that subscription to the General Provident Fund ought to be made compulsory in the case of the Provincial Civil Service, or should it be left voluntary, as at present?—I am afraid I have never given the matter my attention. I cannot give you any opinion.

33650. (Sir Theodore Morison.) Would you give us a little more definite help in this matter of uniformity of salaries in the different Provinces? I see that the answer of the Chief Commissioner is rather negative. He is not prepared to say that there should be absolute uniformity. We

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are getting rather contradictory evidence with regard to this. We get the Provinces that are, as you say here, markedly and unreasonably inferior to others, and we also get Provinces in which the cost of living is very great, and they say it is extremely unreasonable that they should be paid at the same rate as in Provinces where living is cheaper. What, on the whole, is your view upon the big question?—I think I would make the rates of pay the same, as nearly as possible, in all Provinces; but certainly where the cost of living was markedly greater I would allow higher rates of pay. That might be done within certain parts of certain Provinces. Calcutta, for instance, may be much more expensive; I do not know, as I have never been there. But on the whole, I would get uniformity as far as I possibly could.

33651. On the whole you think that the injustice, so to speak, of different rates of remuneration is less if you get a level rate of pay throughout?—I think so.

33652. I ask that, because you say, "in absolute uniformity," and the rest of the argument rather points out the evils which occur in the Central Provinces as of very marked disparity?—I think we ought to be on the same footing as the United Provinces and the Punjab; I know that the United Provinces men are paid better than the Punjab men, and the Punjab men are graded better than we are, even if they are not better paid than we are. As a matter of fact, their Commissioners are paid better than ours.

33653. Do you see any reasons, except historical ones, why they should be paid differently?—No, I do not see any reason.

33654. Between Regulation and Non-Regulation Provinces?—I do not know what the difference between a Regulation and Non-Regulation Province is in actual practice.

33655. Was the scale of pay in the Central Provinces at all influenced by the fact that when this Government was constituted, living was much cheaper in the Central Provinces than in the old North-West Provinces?—I do not know at all.

33656. You do not think in either case that the cost of living had anything to do with the settlement of salaries?—No, I do not know.

33657. With regard to your answer to question (11) why do you think that a man who takes his leave in India should be penalised at all? Why should he not get the equivalent of each of his £100's? You refer to it in the last part of your answer, "the alternative sterling of rupee rates"?—That answer does not represent my opinion: it is the Chief Commissioner's.

33658. May I have your individual opinion?—I have not thought of it at all. That was the answer the Chief Commissioner told me to give, and I put it down. I am afraid I have not thought about it. I have never thought of taking leave in India myself, so that it has not interested me.

33659. You do not know whether there is any strong reason why the Chief Commissioner who supports the proposal does not, so far as you know, represent any deliberate policy in the matter?—No, I do not think so.

33660. With regard to your answer to Provincial Civil Service question (6) you recommend that nominations should be through a Board, do you not? How are appointments made now? How is the nomination conducted at the present moment? Have you a Board of sorts?—To a certain extent, yes. The Commissioners make nominations from outside. The Commissioners recommend candidates each year, but there is no Board of selection on those candidates.

33661. The Commissioners nominate for a certain number of vacancies?—They nominate a certain number of candidates each year, irrespective of the number of vacancies, and when vacancies have to be filled the Chief Commissioner selects from among those candidates and from among the members of the Subordinate Service, *i.e.*, Tahsildars. The Commissioners at Pachmarhi prepare lists of Tahsildars who are fit for confirmation as Extra Assistant Commissioners; and those officers are generally tried first as temporary Extra Assistant Commissioners. We generally find it necessary to keep employed three or four temporary Extra Assistant Commissioners.

33662. So that the selection for the direct appointments is made by the Chief Commissioner on the recommendation of the Commissioners?—Yes.

33663. And for the Chief Commissioner you would substitute a Board?—Yes, that is the proposal.

33664. You would leave the recommendation of the names to the Commissioners, who know the local circumstances?—I cannot give any opinion. I do not know how the Chief Commissioner proposes to deal with it. Perhaps he intends the nominations still to come from the Commissioners, but I really do not know.

33665. With regard to your answer to question (8) of the Provincial Civil Service questions, what educational qualifications are, as a matter of fact, accepted in the case of Europeans and Eurasians?—I am afraid I cannot say. I have not looked it up.

33666. It is something less than the B.A. or the B.Sc.?—I imagine it might be so, as lower educational qualifications are clearly allowed.

33667. I wanted to know whether it was something like the Oxford and Cambridge Local. It may be that they do not take Indian University degrees?—Some of them do.

33668. I wanted to know why you do not accept it in their case?—I will look it up and find out what educational qualifications have been lately accepted.

33669. (*Mr. Madge.*) If I have not fully understood the last sentence of your answer to question (8) it can only be because I am not familiar with the facts. You say: "The two Assistant Commissionerships are, however, not listed as such. They have long been merged in the Provincial Service as Extra Assistant Commissionerships," and then follow the words, "like two Small Cause Court Judgeships which were also listed, but were afterwards merged in the cadre of the Provincial Service." In the latter case the posts were transferred to the cadre, but you do not say the same thing of the two Assistant Commissioners. Were the cases exactly similar?—Yes; the cadre of the Assistant Commissioners was

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actually cut down. The posts were absorbed; that is to say, when a vacancy arose in the first class of Assistant Commissionerships, instead of giving promotion to a second-class Assistant Commissioner they abolished the post.

33670. That means that four appointments have been removed, practically, from the listed appointments, two of Assistant Commissionerships, and two of Small Cause Court Judgeships; or does it not mean that?—The Provincial Service have equally good appointments included in their cadre. It is a very difficult matter altogether. One goes on increasing the number of Provincial Service appointments, and consequently increasing the Provincial Service cadre; and those two Small Cause Court Judgeships were two posts which were included in one of the revisions of the cadre.

33671. Does that mean that if these four appointments had been removed from the Provincial cadre they would have been otherwise compensated?—Yes, certainly.

33672. More than compensated?—Yes, more than compensated, I should say.

33673. In answer to question (41) you say: "The Chief Commissioner considers that, although the period of eight years may result in an officer being as much as 33 years of age before he ordinarily receives the pay of a superior post, yet this period cannot be reduced since a shorter period will not give an officer sufficient experience to fit him for the headship of a district or for a Sessions Judgeship." Does that mean, as I understand, in the earlier portion of every Civilian's career that he derives from the exercise of Executive functions valuable general knowledge which serves him whether he takes the Executive or Judicial side?—I should say that that was true.

33674. You think it undesirable to shorten the period of eight years?—Yes.

33675. That means that if it were shortened a man appointed to the Judicial Service would lose general knowledge which is a valuable asset to him now?—I am afraid the subject was not at all considered by the Chief Commissioner with a view to Judicial appointments. Part of the eight years' service need not be wholly Executive. A junior Civilian may be, during his first eight years, a Subordinate Judge or a District Judge before he becomes a Sessions Judge. In either case he has got eight years' training under the system recommended, Executive for Executive, and purely Judicial for Judicial.

33676. All the same, during that period he would, with a maturer mind, acquire experience which would be afterwards valuable, would he not?—All experience is valuable, I take it.

33677. But some people hold that the Judicial frame of mind is rather different from the Executive frame of mind. I am not a holder of that opinion myself, but I should like your views upon it. You have already said you would not shorten the period whether a man is changed about from a Judicial to an Executive office or not. If up to eight years he has some experience of Executive office, he is gaining, with a maturer mind, experience which would be valuable to him whatever his future career might be?—I think so.

33678. In answer to question (84) you say: "A scheme is now in course of submission for the complete reorganisation of the Judicial Department." What is your own opinion on this point? It is really a question as to the stage at which bifurcation should take place. Some have held that the final revision should not take place until the man is confirmed in the office of Sessions Judgeship. Are you inclined to that opinion, at all?—I should be inclined to put men into the Judicial Department somewhat earlier than that.

33679. I see you have referred to a method by which Judicial experience may be gained by Executive officers even in the earlier portion of their career?—Yes.

33680. You do not think that bifurcation should be delayed until a man is confirmed in the office of Sessions Judgeship?—I should not think you need delay it as long as that.

33681. As regards recruiting the Sessions Judgeships from the Bar, have you any very definite opinion on the point?—No.

33682. You have considered it, I suppose?—Not very carefully.

33683. Would you tell us whether you think it would be advisable or not?—I should prefer not to say anything at all.

33684. Still, you can hardly help saying that a barrister appointed straight to a Judgeship would want the valuable general experience which an Executive officer gains from mixing among the people?—Yes.

33685. You say: "The Executive Branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work in order to train them for Sessions Judgeships." And then in the next sentence you say: "Civil cases in all stages are tried almost exclusively by Judicial officers who have no Executive functions." Is there any way by which both classes of officers by interchanges of office in the earlier portion of their career might make up for the want of the kind of experience necessary either on the Executive or on the Judicial side?—I am afraid I have not thought that out carefully enough to give any opinion upon it.

33686. May I ask you, if you think such a thing were possible, whether there would not be a re-duplication of office, with the result of increased expenditure?—The position is this: you want to interchange junior men, Executive and Judicial, now and then.

33687. You say that the Judicial officers have no Executive functions, but you say in a previous place that "the Executive Branch of the Service exercises magisterial functions. Junior members of the Judicial branch are also sometimes given magisterial work." My point is this. Is it possible during the first eight years of a Civilian's career so to arrange that both officers who are to be Judicial in future, and officers who are to remain purely Executive in future, may acquire experience of both, and acquire it without duplication of office and leading to much expenditure?—I daresay it could be done. I should have to think that out a bit more before I could give a definite opinion.

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33688. In answer to question (94) you say that the term "Non-Regulation" is now practically meaningless. Does that mean that in this Province the Administration has so conformed to scientific rule as it prevails in a Regulation Province, that the distinction has disappeared, or that it has never existed?—I do not think any practical distinction in methods of Administration now exists.

33689. I do not know how it is here, but you must be aware that in some Provinces the Government of India in consultation with Local Governments issues Regulations on certain points which apply exclusively to Non-Regulation Provinces. Have you any such order relating to this Province? If I mention one perhaps you will understand. In dealing with primitive races it is thought inadvisable to introduce a complicated system of procedure. Not only is the procedure laid down in some Provinces, but the trying officer is authorised to allow legal advice in some cases. Have you no such orders here?—No, I think not. I cannot remember any. There are Scheduled Districts to which certain laws do not apply, but I am not aware that they have any special laws or rules for them.

33690. Then there are scheduled districts which differentiate them from other districts. Is that done because the people are more primitive?—I think so.

33691. (Mr. Fisher.) Would there be any great objection to assimilating the official nomenclature of Regulation and Non-Regulation Provinces?—I do not think so.

33692. None whatever?—None whatever, that I can think of.

33693. I notice that you refer to a scheme of reorganising the Judicial Department which is under consideration. Am I right in assuming that if that scheme is carried out the block in promotion will dissolve?—No. It will partly dissolve if the Executive grading proposed is adopted; but it will not absolutely dissolve, most certainly not. That block is going to be with us for some time yet, even with our proposals for better grading.

33694. But if your proposals for better grading are carried out, and if this scheme for Judicial reorganisation is carried out, will those two measures be sufficient?—No, there will still be a block.

33695. What else will be required to remove it?—I should say a time-scale.

33696. Those three measures in combination would remove it?—You cannot very well have them in combination. I think a time-scale is the only way of removing the block, except very radically altered grading, much more than anything which has been proposed. We cannot expect an excessively favourable grading to be introduced merely to relieve a temporary block, otherwise, when that block does disappear we shall have much too favourable a grading.

33697. With regard to the Provincial Civil Service, do you recruit men into the Provincial Service just after they have taken their University course, or is there generally an interval?—I think there is generally an interval.

33698. Does that operate hardly upon the poorer University student?—I do not think so.

A University degree does not give a right to employment in Government.

33699. No, exactly. But you prefer to get them at an age later than the age at which they normally take their M.A.?—No, I do not think that there is any marked preference for the older men. It happens that there are generally more candidates for employment than vacancies. A man's name may be on the list for three or four years before there is a vacancy for him. If he is recommended four years in succession he is probably a man whose claims may be worth consideration; and so it may happen that we may get them in somewhat older than the ordinary University degree age. I do not, however, think that there is any principle favoured by which somewhat older men are preferred.

33700. There are no particular steps taken to recruit from the ablest young men at the Universities?—If you mean writing to the University, or looking through the list, I should say no.

33701. In answer to question (93) you speak about the dissatisfaction with the rates of pay, and you say it relates to the grading of both the higher and lower posts, and to the pay of the higher posts. Is there any dissatisfaction with the pay of the lower posts?—No, I do not think there is dissatisfaction with the pay. Rs. 900 or Rs. 700 is what is given in most Provinces. We should like them graded better. Rs. 900 for first-class Assistant Commissioners, and Rs. 700 for second-class Assistant Commissioners is not considered to be unreasonable.

33702. (Mr. Sly.) One of the grounds upon which this block of promotion is said to have been caused in the Central Provinces is over-recruitment. In order that this may be properly diagnosed, can you furnish us with a statement showing for the past twenty years the theoretical rate of recruitment which should have been in force compared with actual recruitments?—I will put it in.

33703. Coming to the alleged grievance about the listing of three posts in Berar, recruitment from 1886 to 1893 was regulated on the basis of five-sixths of superior posts, was it not?—I believe it was.

33704. As far as the listing of posts in Berar is concerned those men can have no grievance whatever?—I do not think they can have any grievance.

33705. The recruitment was altered in 1903, I think?—It would be 1904, but the Civilians would not join until a year later. The indent for recruits goes in in January, and Berar was amalgamated with us in October or November, anyhow, some time in the autumn. The indent would go in in January 1904; and the recruits asked for would come out in November 1905.

33706. So far as recruitment is concerned, between 1893 and 1905 those recruits can have no grievance with regard to the listing of posts in Berar?—No grievance on the ground that they were recruited for the Berar posts: I concede that much.

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33707. What other grievance may they have?—They have the grievance that they were over-recruited for the Central Provinces cadre, and they were recruited for that cadre much too rapidly. Some compensation seems due to them. This compensation was, by a stroke of luck really, partly given to them by the amalgamation of Berar, and then it was taken away; so that they have again got the grievance of over-recruitment in that period as strong as ever.

33708. But they have no grievance with regard to the special recruitment to the Berar listed posts?—No.

33709. Then the only Civilians who have any real complaint against the listing of the three Berar posts are the Civilians from 1905 to 1910?—Those, I think, are the only Civilians who can have a grievance on the ground that they were recruited for those posts.

33710. So long as the posts are held by the three officers in the Berar Commission, they can have no grievance in that respect?—No, I do not think they can, until those members disappear, unless officiating leave vacancies are also to be given to the Provincial Civil Service. In that case they will have a grievance.

33711. Or unless one of the three specified officers should disappear from the Service?—Before the junior Civilians rose to a superior post, yes, or if one or more of them disappeared very soon.

33712. This grievance practically amounts to the fact that officers recruited between 1905 and 1910 should fill any vacancies which occur in those listed posts until they themselves have reached a superior post?—Yes.

33713. That is the total extent of the grievance on that score?—It may go a little further back than 1910: I am not sure it does not go to 1912.

33714. When were these posts listed?—I am not quite certain, but I think they were listed in the middle of 1912, or 1911.

33715. The grievance will exist so long as the officers are recruited to fill those posts, whatever the year may be?—Yes.

33716. With regard to the Civil Service cadre, I find that there are three posts of Judicial Commissioners included in the Civil Service cadre?—Yes.

33717. Have those three posts been filled by Civilians?—At the present moment two of them are filled by Indian Civil Service men, and one is filled by a non-Civil Service man.

33718. Can you tell us if there are any orders as to whether any one or more of those posts shall be recruited from outside the Indian Civil Service?—No, there are no orders.

33719. Can you tell us why one of those posts has, as a matter of fact, been filled from outside the ranks of the Civil Service?—Yes. When one fell vacant it was considered that there was no Indian Civil Service officer suitable for being put into it. The Indian Civil Service Sessions Judges were very junior, and Mr. Stanyon, who had had long experience as a Divisional Judge, was put in with the sanction of the Secretary of State. I might mention, also, that the Government of India stated their definite opinion to the Secretary of State that the second Additional

Judicial Commissionership should not be listed as open to the Provincial Civil Service, and the Secretary of State accepted that recommendation. That was mentioned when Mr. Stanyon was recommended for confirmation; but it was pointed out that there was nobody else to put in, and as he was thoroughly suitable for the post, he was put in.

33720. I do not understand that Mr. Stanyon was appointed from the Provincial Service to hold that post?—No, but a listed post, whether filled from outside or from the Provincial Service, is still a listed post. The Government of India actually used the words, "should not be listed as open to the Provincial Service."

33721. That post has never been held by a Civilian, I believe, since its creation?—I think it has. I think Mr. Ismay, Mr. Drake-Brockman and Mr. Batten were the three Judicial Commissioners at first.

33722. Is it not in the interests of the Civil Service cadre that the Government should make up its mind, one way or the other, either by excluding the superior post from the Service, or else by filling it from the Service provided there is a competent officer? At present the Indian Civil Service is being recruited on the strength of one high Judicial post, which the Civil Service does not get?—Does not get at present. The Civil Service has the first claim to it, in case it should fall vacant again.

33723. In answer to question (29) you mention one officer who was recruited in the Central Provinces outside the Indian Civil Service. When was that officer recruited?—In 1902.

33724. Can you tell us why he was recruited?—There was a vacancy in the ranks of the Commission. The sanctioned strength at the time was 73, and the actual strength was 72. I think those are the figures. Anyhow, it was specially stated, when the Secretary of State's sanction was applied for, that there was a vacancy in the ranks of the Commission.

33725. At that time, there was no over-recruitment for the service, in fact it was short?—The service was short, but recruitment had been at too rapid a rate in order to fill up the shortage.

33726. With regard to the proposals made by the Chief Commissioner for a time-scale, the actual time-scale, so far as I have been able to compare it, is the same as that in force in the Political Department, is it not?—Yes, as regards substantive pay.

33727. But there are certain changes which the Chief Commissioner proposes in regard to the conditions under which the time-scale is granted in the Political Department. You say in paragraph 3 of your answer to question (102): "The Chief Commissioner is, therefore, in favour of imposing a limit to the pay that may be granted to an officer who is not actually holding a superior appointment...." The Chief Commissioner is, however, of opinion that the limit of Rs. 1,250 adopted for officers of the Political Department is too low, and would therefore propose Rs. 1,400 as the limit beyond which an officer may not draw pay unless actually holding a superior post?—Yes.

33728. Can you tell us why it is considered necessary to raise that limit?—Rs. 1,250 must

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be too low. It is not high enough to obviate the effects of blocks in promotion. I take it that the primary object of a time-scale is to get an even flow of promotion, and to get rid of blocks. Still, under the Chief Commissioner's proposal there is a possibility of a block, but it is not likely to be so serious. The Political Department says Rs. 1,250 and the Chief Commissioner says Rs. 1,400.

33729. The object of the increase is to prevent a block below Rs. 1,400?—Yes.

33730. With regard to the second condition, what is called the "qualification" stage, it is proposed to increase the limit in force in the Political Department of Rs. 800 to Rs. 950. What is the reason for that?—Rs. 950 is the Political time-scale rate for a man in his eighth year of service. I suppose the Chief Commissioner thinks a man might be allowed to serve as long as seven completed years, and not six completed years, as in the Political Department, before being definitely stopped, if it is necessary to stop him.

33731. That is, instead of deciding in the Political Department in the sixth year of service whether an officer is qualified for a superior post, the Chief Commissioner proposes he shall wait until he has completed eight years' service before promotion?—Yes.

33732. Then there is another condition proposed, that at a certain stage of the service there should be a line drawn between Deputy Commissioners, Deputy Commissioners capable of holding charge of a heavy district, and Deputy Commissioners capable of holding charge of light districts. If such a differentiation were possible, is it suggested that Nagpur and Jabalpur should be the only two criteria as to what is a heavy charge?—I think so. I think you would take a man and say you were going to put him into Nagpur, and if he were considered unfit he would have his promotion limited.

33733. That would be a very difficult thing to judge, would it not?—It would.

33734. Then the Chief Commissioner proposes that certain existing special and local allowances should be retained in order that the suitability of the time-scale may be considered. Can you give us a list of the special and local allowances?—I have it with me, and put it in:—

List of Local Allowances payable to officers of the Indian Civil Service.

	Rs.	
Chief Secretary . . .	450	
Second Secretary . . .	300	
Third Secretary . . .	150	
Under Secretaries . . .	100	Subject to a maximum of Rs. 1,000 per mensem.
Commissioner of Settlements . . .	250	
Commissioner of Excise . . .	250	Subject to a maximum limit of Rs. 2,250, but Mr. Mayno held the post without any limitation in respect of his total emoluments.
Inspector-General of Police . . .	450	Subject to a maximum of Rs. 2,500.
Director of Agriculture . . .	150	

	Rs.	
Registrar, Co-operative Credit Societies . . .	150	Subject to a maximum of Rs. 2,000 per mensem.
Settlement Officers . . .	150	
Political Agent, Chhat-tisgarh Feudatories . . .	250	(Paid from Feudatory States' resources.)
Registrar, Judicial Commissioner's Court . . .	100	
Sub-Divisional Officers of Ellichpur, Kham-gaon and Basim . . .	100 each.	

Nota.—The special allowances are not fixed, and are given from time to time to officers on deputation for special work. They do not exceed one-fifth of salary and are not infrequently less.

33735. There is a question about the Provincial Civil Service which I should like to ask you. We have already dealt with the question of listing the posts in the Berar Commission. I should like to ask you why in 1902 a special low grade of Rs. 200 was introduced into the Provincial Civil Service?—I cannot say. I do not know why it was introduced. I shall have to look that up.

33736. It is not in force in any other Province, is it?—No; I believe not. I have seen all the papers, but I do not remember to have seen any reason stated.

33737. The Chief Commissioner now proposes that that limit should be raised to Rs. 250?—Yes.

33738. The time-scale starts at Rs. 250?—Yes.

33739. It is proposed that the time-scale should start at Rs. 250, and, as far as I can gather, if the graded system is retained, the proposed grading which he suggests would start at Rs. 300. What is the reason for that difference?—Does he propose that it shall start at Rs. 300?

33740. I think so; in answer to question (23) of the Provincial Civil Service series?—That is, for the Judicial Branch, is it not?

33741. Yes, for the Judicial Branch. Let me put my question in another way. If the time-scale is not accepted, would the Chief Commissioner recommend that the grades of the Provincial Executive Service should start at least at Rs. 250?—Yes.

33742. (Mr. Macdonald.) You recommend the Commission to favour more uniformity in pay between Province and Province, and you have suggested only one consideration which may break that uniformity, namely, the cost of living. Are there any other considerations of the same character which you would bring before us?—There might be, climate. I suppose Lower Bengal is unpopular on account of its climate, at any rate, I am given to understand so.

33743. What do you say to a different system of grading, a system under which there are more good posts at the top in one Province than in another? Ought that to affect pay?—It would work out, I think, in the same way; but at the same time it would be simpler to make the difference in the rates of pay, if you are going to make any difference.

33744. You would admit, would you not, that if there were more prizes at the top in one Province than in another, the Province with the larger

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number of prizes might very properly ask its officers who are waiting for those prizes to accept lower pay. Would you agree with that argument?—No, I do not think I would. I have not recommended that the differentiation should be made by making the number of higher paid posts greater.

33745. We have had evidence upon that point, and I should like your opinion upon it for my guidance. Suppose it were shown that the Commissioners in Presidency A had got more pay than the Commissioners in Presidency B, would you agree that that was a reason why the more subordinate officers in Presidency A should accept a lower pay than the officers in a similar grade in Presidency B?—No, I do not think I would.

33746. In answer to question (104) you say that the Chief Commissioner whilst aware of certain disadvantages in the promotion of Provincial men at a comparatively late age into Indian Civil Service posts, nevertheless thinks that they must be tested. Do you know if he has considered or, failing that, if you yourself have considered, how long it is necessary to test a man for the Provincial Service before you discover that he has qualities which justify you in placing him in higher Service?—No, I do not know if the Chief Commissioner has considered that or not.

33747. You know that it has been brought before us very strongly that if you keep a man in the Provincial Civil Service for a certain length of time he gets into a sort of subordinate frame of mind, and that when you promote him when he gets into that frame of mind he has not that elasticity and self-reliance and power over himself to make a really efficient officer in the higher grade?—I have heard that.

33748. That is the argument which has been brought before us. Then, in order to counteract that, we have been told that promotions must be made at a very much earlier period. From your own experience of the Provincial Civil Service, could you set a limit upon what you would call the economic period for employing a man in the Provincial Civil Service, assuming that you mean to employ him in a listed post, or in the Indian Civil Service itself?—No, I should find it difficult to fix any definite period.

33749. Let me give you a figure, eight years?—Eight years, I think, would be long enough.

33750. Would you be a little more definite and say that over eight years would be too long?—I am inclined to think so.

33751. In other words, if a man does not show exceptional capacity in the Provincial Civil Service within eight years, you would assume that he is not going to show special capacity at all?—I think that that would be a fair conclusion.

33752. Referring to the answer to question (2) of the Provincial Civil Service series, sub-section 3, under the heading of "Educational qualifications," I see in your Rules for admission into the Provincial Civil Service, there is a distinction made between a European or a Eurasian, on the one hand, and other candidates for the Provincial Civil Service on the other hand. Could you tell me why that distinction is made?—I do not know.

33753. You do not know why the Eurasian is classed with the European?—No, I do not.

33754. You do not know why he should be excluded, apparently, if this rule is put into operation, from having the same educational qualification as the Hindu?—No, I do not.

33755. Could you tell me, generally, in the final nomination which takes place, whether any definite attempt is made to give preference to one community or one section of communities over others?—I do not think so. I believe they aim at having all the chief communities represented; but I do not think any attempt is made to prefer any particular community.

33756. When they are represented do you try simply to select them and get them there, or do you try to have a ratio between their strength in the Service and their strength outside?—I do not think any ratio is kept in view.

33757. I see you have given us a table showing how the 148 Provincial are made up so far as community representation is concerned. Is there any reason why those proportions should be there? I am referring to paragraph 8?—They are not proportions; they are actual numbers.

33758. They are actual numbers, but they are also proportions. It does not matter how you put it really. Is there any reason why those numbers should occupy to each other the ratio that they do?—I really do not know if there is any reason or not.

33759. Let us take the Anglo-Indians. There are 16 of them. Does that represent educational qualifications, or does it represent population outside, or does it signify the idea that the Government has of the relative importance of that community in the whole of the Central Provinces, or is it purely an accident?—I can say nothing about the Government's idea of the relative importance of the various classes, but it is certainly higher than purely population would necessitate. If appointments were made on the basis of population, then the Anglo-Indians have got too many appointments.

33760. Supposing you made it on a basis of educated population?—I am afraid I have not looked into that.

33761. (*Mr. Chaulai*.) With regard to the comparison of the charges in this Presidency, with the charges in other Provinces, have you tried to compare the heaviness of the charge as regards population and area in the different Provinces?—No, I have not.

33762. The charge which you say is heavy, so far as the Central Provinces is concerned, may be different in population and area, and after all not so heavy, as compared with the United Provinces and the Punjab or other provinces?—It is possible, I have not looked into it.

33763. I simply want to know whether there was any difference between the two. You pointed to circumstances which made the distinction very marked between Province and Province. I wanted to know whether it would make a difference if area or the population of the charge were considered?—I have not looked into it.

33764. I wish to understand something more about the Judicial Provincial Service. The District Judges do entirely civil work, do they not?—Yes.

33765. There are fifteen posts at between Rs. 500 and Rs. 800?—They do entirely civil

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work in the ordinary way. Some of them are Additional Sessions Judges also.

33766. As members of the Provincial Judicial Service, their ordinary duties consist of purely civil work?—Yes.

33767. What are the duties of the 34 Subordinate Judges on Rs. 300 and Rs. 400?—The same, with a difference of jurisdiction.

33768. I suppose the District Judges have larger pecuniary jurisdiction?—They have unlimited pecuniary jurisdiction.

33769. And the Subordinate Judges?—Their pecuniary jurisdiction is limited.

33770. Can you tell me what the jurisdiction of the Subordinate Judges in this Province is?—Rs. 10,000.

33771. And the Munsifs?—Rs. 1,000.

33772. Have the District Judges or the Subordinate Judges any appellate jurisdiction over the Munsifs?—The District Judge has appellate jurisdiction. All appeals from Munsifs go to the District Judge, and all appeals up to Rs. 1,000 from the Subordinate Judges go to the District Judge.

33773. Then am I right in supposing that the Provincial Judicial Service begins with the Subordinate Judges only? Or are the Munsifs in the Provincial Civil Service also?—No, they are in the Subordinate Service here.

33774. Have the Munsifs any legal training?—Yes, I think a great many of them have.

33775. Are they required to be graduates in law?—Yes, I think so.

33776. They are either LL.B.'s or B.A.'s?—It appears that they have to be.

33777. I suppose the Subordinate Judges are recruited mainly from the Munsifs, or are they recruited directly?—They are recruited entirely from the Munsifs.

33778. Those who are called Subordinate Judges are a higher grade of the Munsifs?—You might put it in that way, or say that the Munsifs are a lower grade of the Subordinate Judges.

33779. How long would it take for a man to rise from Rs. 150 to the last grade of the Subordinate Judges?—I am sorry to say that I have not worked that out. It would be difficult to work out, because the cadre has been increased so much lately. We have not sufficient experience to say how long it would take.

33780. I wanted to know how the prospects of the Provincial Judicial Service in this Province compare with other Provincial Judicial Services, and I wanted to know whether there was equal distribution of promotion and whether the promotion was even. Therefore, if you could have told us how long it took for a man to rise from Rs. 150 to Rs. 250, and from Rs. 300 to Rs. 500, and from Rs. 500 to Rs. 800, it would have been useful?—I cannot say.

33781. Can you say in the executive line, the Extra Assistant Commissioners' line, how long it takes for a man to rise from Rs. 200 to Rs. 800; or is there the same difficulty with you in that matter too?—There is the same difficulty too.

33782. (Sir Murray Hamrick.) I suppose your selections from the Munsifs to the Subordinate Judges are entirely by merit, and not by seniority?—I think so, but I am not certain.

33783. A Munsif at the top of the list would not automatically become a Subordinate Judge unless he showed some capacity?—No, I do not think so.

33784. Can you tell me what proportion of appointments in your Provincial Service have been recruited from the Subordinate Service? I want to know how many appointments in the Provincial Service have been made by recruitment from the Subordinate Service in comparison with the men who are directly appointed?—It is given in answer to question (4) of the Provincial Civil Service questions.

33785. That gives it over a series of years. The figures from 1906 to 1912 seem to show that in the Executive Service only ten appointments were made direct; while something like 44 or 45 appointments were made by promotion. Would most of those promoted officers who come from other Services have started on appointments of Rs. 50 or below?—Not below Rs. 50, some of them might.

33786. Most of these men were Tahsildars?—Yes.

33787. Tahsildars are recruited entirely from the clerical service, I suppose?—No. The policy is very much against that now.

33788. How do you recruit your Tahsildars?—There is nomination for Naib Tahsildars.

33789. A Naib Tahsildar is a Deputy Tahsildar on Rs. 100 a month, is he not?—Rs. 60 to Rs. 100.

33790. May I take it that most of these 45 men are men who have never been below a Naib Tahsildar?—I should have to verify that. I could not state that authoritatively.

33791. How are your Naib Tahsildars appointed? Are they mostly by direct appointment?—They are taken from outside.

33792. They are not taken from the clerks in Deputy Commissioners' offices?—Not often.

33793. Does a clerk in a Deputy Commissioner's office look forward to any higher appointment than that of the Collector's head clerk?—He might rise to be Superintendent of the District Office. He can get an appointment in the Commissioner's office, and ultimately in the higher posts of the Secretariat.

33794. As a rule he would not be taken into the executive line of the Naib Tahsildars or Tahsildars?—No.

33795. So that we may take it that most of your Provincial men do not begin life as clerks?—I would not say that, quite, because formerly there was a great deal more recruitment to the executive line from the clerical line, and a good many men may have been clerks in the earlier part of their service.

33796. As regards your Assistant Collectors, an Assistant Collector is posted to the Central Provinces when he arrives: how long does he generally stay in Nagpur itself?—It may be only a few days. He may go straight from Bombay to his district.

33797. There is no system by which you keep a man in Nagpur a month or six weeks?—No, there is no such system.

33798. He goes straight to his District?—Yes.

33799. His pay on arrival is Rs. 400 a month?—Yes.

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33800. Have you any system here by which you advance him money for immediate expenses for the purchase of tents or horses?—No, I do not think so.

33801. He has to find his own tents, has he?—No.

33802. He is provided by the Government?—Yes, the Government supplies his tents.

33803. He has to supply the horse for himself?—Yes.

33804. Does he take a bungalow when he gets to his district, or does he live with the Deputy Commissioner?—I think the junior men generally find someone to stay with. They do not often have to go into bungalows by themselves. As a matter of fact there is very seldom a bungalow for them.

33805. I suppose that is only a temporary arrangement. He will have sooner or later to set up an establishment of his own?—He sets up an establishment of his own, but he may share a bungalow during a good deal of his earlier service if he is lucky.

33806. I am trying to arrive at the kind of expense entailed on an Assistant Collector. Is it possible in most districts up-country in the Central Provinces to hire furniture, or has he to buy it?—He generally does with extremely little. The amount he generally uses can generally be got locally.

33807. And what he wants in the shape of furniture is for his camp and tents, and so on?—Yes.

33808. Practically the only expenditure he has to go in for is his horse, and in some places he has probably to buy a trap?—Yes. And I daresay he would furnish his bungalow better if his pay were better.

33809. He has no method of getting an advance from Government, has he?—I understand from Mr. Standen that he generally gets an advance.

33810. From your experience, do you think the financial condition of the Assistant Collector when he arrives is sufficiently good to enable him to get on for the first four or five years of his service without running into debt?—Yes, if he is careful; and if he does not get married.

33811. Do many of them arrive married?—Very few.

33812. You think that if he is a bachelor there is no reason why for the first four or five years of his service he should be in debt?—He must be very careful.

33813. If he does not arrive with money in pocket, he has to borrow, probably, to buy his horse to begin with, if that is a necessity?—Yes.

33814. We have been told that one of the ways of making the Service distinctly more popular at home as regards recruitment would be to increase the Assistant Collector's pay on arrival. We have been hearing a good deal of evidence as to what pay is given in mercantile offices in various places, and some witnesses have told us distinctly that it would be a great advantage as regards making the Service more popular in England if Assistant Collectors were given Rs. 500 instead of Rs. 400 to begin with. Do you agree with that view?—Yes, I think I would fix the initial pay at Rs. 500.

33815. I think you said in reply to one of the members, that you thought no reorganisation of the Service as regards making the cadre better would give satisfaction so far as the block which now exists is concerned; but I suppose you would agree that if the cadre strength of the Service here in the Central Provinces were re-arranged according to the principle laid down by the Government of India for the whole Province, and was not interfered with, as it has been in the past, by this irregular recruitment, and by irregular listing of appointments, the probability is that you would eventually get a satisfactory Service which would give satisfaction to the junior members of the Service?—You must also improve the grading. It is not sufficient merely to arrange your recruitment so that the number of men on duty at any given year of service would be exactly equal to what it should be under the actuarial tables. Even that would not give satisfaction so long as the present grading remains.

33816. In answer to another member of the Commission, I think you said you saw no reason why a greater proportion of prizes at the top of the Service should affect the consideration of the pay which should be given to the more junior appointments; but surely that very principle is taken in assigning the pay to the Judicial part of the Service. In the Chief Commissioner's proposals you have three appointments at the top of your Additional Sessions Judgeships, one carrying Rs. 2,750, and two carrying Rs. 2,500, while the top of your Deputy Commissioner only carries Rs. 2,250. I suppose the reason for those higher appointments in the Judicial Service is because they have not these Commissionerships to look forward to, or the Chief Commissionership or the appointments at the top of the Secretariat which fall to the lot, as a rule, of Executive officers?—That may be a reason; but I would point out that it is proposed to have twelve Divisional Judges, and three Judicial Commissionerships open to them; it is proposed to have twenty-eight Deputy Commissioners, and they have only got five Commissionerships open to them; and it is also proposed that the Judicial Commissioners shall be paid higher than the Commissioners are at present. So that it is not true of these Provinces to say that Judicial men have not got a fair share of prize posts.

33817. You would take into consideration the heaviness of the charges in allotting your pay?—No, I do not think I would. The men would have to take the rough with the smooth.

33818. The Deputy Commissioner in charge of a very heavy district ought to be paid exactly the same as a man in charge of a small district: is that what you mean?—I would give a local allowance for some of the expensive charges.

33819. You would not allow for the heaviness of the charge?—No, I do not think so.

33820. You would do that all through India. You would not make any difference if you found the average area and population of a Collector's charge in some Provinces were very much higher than in others. You would not allow that consideration to come into your calculations in calculating the pay of the Deputy Commissioners in those two Provinces?—No, I do not think so. The way I should tackle that question would be to reduce the size of the heavy charges.

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33821. Have you held charge of a district for any length of time?—For a little less than 2½ years.

33822. As a general question do you think that it is advisable or necessary that a Civilian should specialise in certain subjects now more than he used to on the ground that these subjects are coming into prominence? For instance, it has been suggested to us that Civilians should go through a course of Agriculture when they arrive; that they should take the course of reading in Local Self-Government at home; and one witness suggested that they should take a course in Sanitation. Do you think it advisable that Collectors should specialise in these subjects; or that it should be rather the other way, that there are so many subjects which a Collector now has to know about that it is perfectly impossible for him to be anything more than the general administrator of the experts who advise him?—I am inclined to think it would be a good thing if Collectors had a special knowledge of certain branches of their work, but I do not see how it could be arranged. Life is too short. They simply have no time in which to do it. They could only get a smattering of knowledge, and that would not be of any good at all.

33823. You would not suggest in the training of Assistant Collectors any courses of this special character as regards, say, Agriculture and Sanitation?—No, I do not think I would.

33824. The laying out of towns has been mentioned as one of the subjects an Assistant Collector should study?—I would not recommend that.

33825. (*Mr. Thakur.*) In answer to question (35) you say: "During the last five years the listed posts have always been filled by members of the Provincial Civil Service." Is it not a fact that only two posts are held by them?—No, all three.

33826. Who are the three members of the Provincial Civil Service who hold those posts?—Mr. Chitnavis.

33827. Is he a member of the Provincial Civil Service?—Not strictly, but for the purpose of holding a listed post. I admit one is held by a Statutory Civilian. The orders are that until Statutory Civilians disappear they are to be counted against listed posts.

33828. That may be; but as a matter of fact, there are only two posts which are held by members of the Provincial Civil Service. That is a fact, is it not?—Yes, that is a fact.

33829. With regard to the question of two Assistant Commissionerships and Small Cause Court Judgeships having been absorbed, is it not now a fact that the two Small Cause Court Judgeships are no longer posts which are ordinarily held by members of the Indian Civil Service?—They are not held by members of the Indian Civil Service.

33830. Formerly they were, and now they are not posts for which Indian members of the Civil Service are recruited?—That is so. The recruitment now is based entirely upon Statutory posts.

33831. My point is that at present these posts cannot be called listed posts?—I do not understand the point.

33832. The point is this. In your answer you say: "Excluding posts which have been merged in the cadre of the Provincial Service, there are now six listed posts, *viz.*, 3 in the Central Provinces and 3 in Berar, but the three Berar posts are not to be filled by non-members of the Commission until the disappearance of Messrs. Rustomji, Muin-ud-din, and Jatar, who are members of the Commission. The three Central Provinces posts are now held by Provincial Service men, and none of them can be given to any other Native of India." At present there are only three posts which have been listed?—Yes.

33833. Of which only two are held by the Provincial Civil Service?—Yes.

33834. Is that correct?—Yes.

33835. In answer to question (40) you refer to the Act of 1861. Does that Act apply to the Central Provinces?—Yes.

33836. In the official correspondence has it not been held that that Act does not apply to the Central Provinces, and that the restrictions as to scheduled posts are not to be applied to these Provinces?—The schedule itself gives certain posts that are to be held by the Indian Civil Service only in the Regulation Provinces, or rather to be reserved for them in the Regulation Provinces; but some posts are to be held by the Indian Civil Service in any Province, Under Secretaryships, and Secretaryships. Therefore, though the Act applies to these Provinces, its scope is limited to Under Secretaryships and Secretaryships, because the other posts are reserved for the Indian Civil Service only in the Regulation Provinces.

33837. Is there any Statutory obstacle in the way of appointing any member outside the ranks of the Civil Service to posts ordinarily held by the Civil Service in the Non-Regulation Provinces?—I do not know of any Statutory obstacle.

33838. Then the Central Provinces are ranked among the Non-Regulation Provinces. Am I correct in that?—Yes.

33839. Therefore in the Central Provinces there is no legal obstacle to any member outside the rank of the Indian Civil Service being appointed to any of the listed posts?—I do not think there is any legal obstacle.

33840. Therefore, if the Additional Judicial Commissionership you spoke about was given to a member outside the ranks of the Indian Civil Service, there was no objection to that under law?—Under law, quite so.

33841. Are there any Orders prohibiting those appointments?—There are the Secretary of State's Orders, Executive Orders.

33842. Where are those Orders to be found?—In the Despatch of 1876. I will give you the reference. It is Despatch 81, 13th July, 1876.

33843. Was there no modification about these Orders after the House of Commons Resolution came here for opinion. Is there no opinion expressed that whenever competent men are available for those higher posts, appointments may be made?—I do not remember whether there was any such opinion or not. Such appointments can be made, and are made.

33844. Appointments of officers like Additional Judicial Commissioners can be made in the

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Central Provinces without any legal objection. Executive orders can be modified at any time by Government, it has the power of modifying them?—The Secretary of State himself, I suppose, has the power to modify the orders.

33845. You spoke about some vested interests in the three Berar posts. Before Berar was joined to the Central Provinces, were they not held by the same men who are holding them now?—Those three officers were in the Berar Commission. I do not think they were holding the same posts as they are holding now.

33846. Were those posts not open to the Berar Commission?—Certainly.

33847. Therefore, by their holding those posts no vested interests have been touched?—No, certainly not.

33848. With regard to question (29) of the Provincial Service questions, do not the proposals made apply to the Judicial side of the Provincial Service of creating grades of Rs. 900 and Rs. 1,000?—No, the Chief Commissioner does not propose to create posts of Rs. 900 and Rs. 1,000.

33849. On the Judicial side?—No.

33850. Are you aware that in Bengal there is already a grade of Rs. 1,000 on the Judicial side?—I do not know it, but if you have looked it up, I have no doubt it is so.

33851. Recently in the United Provinces of Agra and Oudh, they have also created these grades on the Judicial side?—I do not know.

33852. In both those Provinces, I suppose, there are listed posts open on the Judicial side?—Yes, there are listed posts.

33853. I suppose in spite of those posts being open to them, they have found it necessary, or expedient, to have grades of Rs. 1,000 on the Judicial side?—Yes.

33854. May not the Central Provinces have the same privilege?—It does not rest with me.

33855. In your opinion, on these facts, do you say that it would be unfair to the Central Provinces to give posts of Rs. 1,000 on the Judicial side?—No, I would not say it was unfair.

33856. Is there any other reason besides the listed posts being open on the Judicial side more frequently, or not having the same grading on the Judicial side as on the Executive side?—I believe the Chief Commissioner's reason for not proposing grades of Rs. 900 and Rs. 1,000 in the Judicial branch is that in the reorganisation of the Judicial side he is proposing to list five posts of District and Sessions Judge, and only two Deputy Commissioners: so that if his proposal is accepted the Judicial Branch of the Provincial Civil Service will have more listed posts than the Executive Branch. There will be only two open to the Executive Branch, while five will be open to the Judicial Branch. Therefore there is not the same need for high grades in the Provincial Service. I think that is his reason.

33857. In other Provinces too, I suppose, the same sort of openings are in existence for the Provincial Civil Service?—I really do not know about other Provinces?

33858. Do you think direct recruitment for Subordinate Judges will attract better men than at present if any direct appointments are made

now? Seeing that the recruitment is confined to lower grades on the Judicial side, would not some direct appointments at the grade of Rs. 800 attract better men who would otherwise go and join the Bar?—I cannot say. I have no experience whatever of the Judicial Department, and I really do not know.

33859. (Lord Ronaldshay.) I am not quite clear with regard to your proposals for the application of the time-scale. In the event of a time-scale being recommended, could all officers who are now in the Service, and who would in the ordinary course of events come under its provisions, immediately draw the pay which they would have drawn under it if it had been in force when they joined the Service? If we are to recommend that a time-scale should be put into force to-morrow, would it be your desire that a man who is now, say, an Assistant Commissioner with twelve years of service, should receive the pay, not that he is now receiving in his grade as Assistant Commissioner, but the pay which he would have drawn if the time-scale had been in force when he first joined the Service?—Yes, I think so.

33860. It will immediately apply to all officers now in the Service?—Yes.

33861. Let me put a concrete case, X and Y are two officers, each of twelve years' service. Let us suppose that X is a first-class Assistant Commissioner on Rs. 900. Under the time-scale he would be entitled, as I understand, to Rs. 1,500, would he not?—Yes.

33862. If the time-scale is put into force to-morrow, would this man straight away go from Rs. 900 to Rs. 1,500?—Yes. As a matter of fact, the Chief Commissioner in his proposal has suggested that he shall not draw more than Rs. 1,400 unless he is actually holding a superior post.

33863. I did not bring that in, because it will lead to complications. Is the time-scale to apply to all officers now in the Service?—Yes.

33864. Another case conceivably might arise. Mr. Y might also be an officer of twelve years' service, and, under the present system, he might be a second-class Deputy Commissioner on Rs. 1,800. Would he then revert from Rs. 1,800 to Rs. 1,500?—There is no possibility of such a contingency in these Provinces. But I think it might be fair. You might give him a personal allowance.

33865. You think it would be fair to reduce him from Rs. 1,800?—It would very soon work out quite fairly. You might give temporary allowances to men adversely affected.

33866. You might get rid of that injustice by giving a man a personal allowance and bringing his pay up to the existing pay?—Yes, you might do that.

33867. Can you tell me whether that was done in any of the Departments where the time-scale was introduced, the Political Department or the Forest Department?—I am not certain, but I think it was in the Forest Department.

33868. (Chairman.) We should be grateful to your Government if they would let us have

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[concluded.]

an estimate of what the cost would be of complying with the proposals put forward by them for the amelioration of the condition of the Indian and Provincial Civil Services?—Yes, I will do that, and I will also get out an estimate of the

cost of regrading and the alternative proposal of the time-scale.

(The witness withdrew.)

ROBERT CURZON HENRY MOSS-KING, Esq., L.O.S., Secretary in the Finance Department.

Written answers relating to the Indian Civil Service.

33860 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The principle of an open competitive examination is that of selection by scholastic attainments only. This can only be correct on one of two assumptions, either (a) that all the candidates are generally suitable apart from their scholastic attainments, or (b) that scholastic attainments are so important that other qualifications may be neglected. Probably nobody will maintain that the second assumption can be accepted in the case of candidates for the Indian Civil Service. I would even go so far as to say that mere scholastic attainments count for comparatively little in practice. The difference in scholarly qualifications between the first ten and the last ten successful candidates of any one year must be considerable, and while I have not been able, or had the leisure, to work out this view thoroughly, I have practically no doubt that, in their subsequent careers in India, there is no general superiority of those who took the higher places over those who took the lower places in the examination. If, therefore, the principle of open competitive examination has been generally satisfactory in the past, it can only be because we have attracted candidates generally suitable apart from their educational qualifications. This has been more or less the case, because we have drawn our recruits mainly from the big English public schools and in my opinion no better material can be obtained. But this is an unsafe assumption to take for granted and I, therefore, do not consider the principle of open competitive examination altogether satisfactory and I believe that it will tend to become less so.

33870 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I should like to see some form of nomination and selection of candidates prior to examination. The success of the existing system has been due, in my opinion, to the fact that our candidates in general are being drawn from the big public schools and, so long as that is the case, there will be a very few exceptions to our obtaining suitable men for the Indian Civil Service. But with the increasing cheapness, and the downward spread of education, the Board Schools are rapidly entering into competition with the public schools so far as the mere passing of examinations is concerned, and without meaning anything derogatory

either to the Board Schools or to the material which they turn out, I do not think that they aim at producing, or are even intended to produce, the class of men we require for the Indian Civil Service. What we require, apart from a reasonable standard of education, is character, manners, reliability, and straightforward ability to "play the game," all qualities which in my opinion cannot be acquired anywhere better than in the large public schools of England. I would lay stress on the fact that I do not think Universities are in any way as efficient training grounds as public schools. A man may derive great advantages from a University course; on the other hand he may derive none, because a University is too big and contains too many men to allow sufficient attention being paid to any individual by his fellows, and it is first in his own home and afterwards at the hands of, and in intercourse with, his fellows, that a boy mainly acquires those qualities which I have mentioned above and which are to my mind absolutely essential for members of the Indian Civil Service. I would mention here that, to an Indian, caste is of supreme importance and, while we in England do not define caste in the same sense as in India, we none the less understand what it means, and my experience is that nobody can more clearly recognise and appreciate caste in a European than an Indian. All these things competitive examination takes no account of and I do not think it would be advisable to allow in future no other means of selection.

33871 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes, subject to what I have said above, I consider the system equally suitable for the admission of Natives of India and other natural-born subjects of His Majesty, provided always that they have been to England, and gone through a course of English, preferably public-school training. The system is not suitable if such admission is to be allowed merely by examination on the strength of education and training which has not been on British lines. I take my stand on the premise that the object of the present system, as of any modified system that may be introduced in its place, is to provide an essentially British Administration in and for India. This British character of the Administration will not, in my opinion, be impaired merely by the admission of members of other than British birth, but it will be impaired by their lack of British training and education.

33872 (5). Do you consider that the combination of the open competitive examination

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for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interest? Please give your reasons?—Yes, my reason is that if you separate such big examinations as those of the Home, Indian and Colonial Civil Services, I believe either service might lose quite suitable candidates, who might be willing to enter any one of the three but who, being compelled to select one and happening to fail in the examination for that one, would probably be unable to compete at either of the other two separate examinations. My remarks are, of course, subject to the condition that the age fixed for all these examinations is the same. If the age for any one examination is altered, it must necessarily be held separately, but in that case unsuccessful candidates would have a chance of competing for the other examinations.

33373 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection by headmasters of schools approved or otherwise; (b) Selection by authorities in Universities approved or otherwise; (c) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (d) Combined nomination and examination; (e) Any other method?—I have already answered this question in my previous answers. I would recommend the system based on the principle of nomination followed, if necessary, by examination. The nomination should not be made either by headmasters of schools or by authorities in Universities, approved or otherwise, but by a Board of which at least half the members should be men who have served in India, than whom there can be no better judges of what the requirements for Indian service are.

33374 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—This question has already been fully discussed. I am entirely opposed to any system of simultaneous examination in India and in England. My principal objections to any such system are the following:—(i) I do not believe that in the present circumstances, any system of open competitive examination for Indians can be sound. I have already mentioned that caste is of paramount importance; the competitive examination would exclude caste from consideration altogether. Moreover, neither in his home, nor in his school, nor in his University does the Indian, under present conditions, appear to get that training in character and manners which I consider to be essential. I have occasionally had to speak to Indian gentlemen about the conduct of their sons, more often Indian gentlemen have come to me for advice on the same subject, and my experience has been that they have all

without exception admitted that they have no control over their sons, who have never, as boys, been subject to, or had experience of, any effective discipline. Whatever system may be adopted for the admission of Indians into either the Indian Civil or any other Service in India, it should not be that of competitive examination, but of nomination followed by either a qualifying or a competitive examination and subject to a period of probation. (ii) My second and strongest objection is this. The object of the examination for the Indian Civil Service is to provide a British Administration in India. This object would be entirely defeated by holding examinations outside England. Candidates who are not only not of British birth but who have not even been trained in British ideas will, under any system of simultaneous examination, obtain admission into the Civil Service in increasing numbers, over which there can be no control, and the inevitable result will be the complete cessation of competition from the British Isles. I consider this a very serious and real danger; Englishmen will undoubtedly cease to compete for service in India, not the least because they are afraid of being beaten, but simply because they will not join a service in which the majority of their colleagues are not of their own race. If the British character of the Administration in India is to be maintained there must be only one examination for it and that must be held, as now, in the British Isles. I would here venture to dispute one assumption that seems to underlie the proposal for simultaneous examination, *viz.*, that one examination in London is a serious obstacle to competition by Indians. A great and increasing number of Indians go to England for the purpose of qualifying for the Bar, for entering the Medical Service and for other objects. I see no reason why they should not be able to do the same for the purposes of competing for the Indian Civil Service. Poverty may stand in the way of some, but it equally stands in the way of others than Indians and antecedent conditions can in no case be equalised. If Indians are to enter a service of which the predominant character is to be essentially British, it is not too much that they should first be required to proceed to England where alone they can get education and training on British lines. (iii) Another strong objection is that any appreciable increase of the non-British element in the Indian Civil Service, would not, I believe, commend itself to the general public of India. I have a very definite impression, gained in the course of my service, that there would be a large body of opinion against the importation of any such element. (iv) A further objection is that any system of selection solely by examination can only be justified by presupposing that all the examinees are generally suitable, and will be found to be practically efficient for the duties which they will subsequently have to carry out. I do not consider that Indians have, as yet, shown themselves to be as a class, and

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in the mass, suitable and efficient for the work of the Indian Civil Service. I base my opinion on my experience of the Provincial Service, which is a very carefully selected service, composed generally of precisely that class of Indian gentlemen that one would hope to find successful if an open examination were instituted. The way in which all members of the Provincial Service, with whom I have had the pleasure of serving, have carried out the duties entrusted to them, the loyal support they have invariably accorded to myself, command, and have always obtained, my warm admiration. But if I am to be honest, I can only say that I have not myself been so fortunate as to know a single member of that service whom I should be able to recommend as fit to fill efficiently the post of a Deputy Commissioner. If this can be said of a selected, and in its own sphere very excellent, service like the Provincial Service, and of men who have had special training in, and every chance of showing their capacity for, administrative work, it is *a fortiori* impossible that Indians in the mass should be suitable for such work, and the few brilliant exceptions that may be found only serve to accentuate the position. I am strengthened in my opinion by what I understand to be the fact in respect of the big business firms in India. For practically all their higher and more responsible posts they still employ the comparatively expensive European in preference to the Indian, who, for obvious reasons, would be content with, and could be obtained for, a much lower salary. This is mere business: these firms do what they find pays them best and they can have no other reason for selecting their employés. It is true that business and administrative capacity is not necessarily the same, that a good man of business may make a poor administrator or *vice versa*; but it is probably more true that capacity, where it exists at all, is fairly general and that a man who can succeed in one direction would not be inefficient in another. At any rate I think that the Government should select its employés on business lines, choosing the material that pays them best and having regard to efficiency and efficiency only. So far as my experience goes, I can only say that Indians have not yet proved their general efficiency for administrative work any more than they would appear in general to have done hitherto in the field of business, which has always been and always will be, open to free competition. What they have proved is their capacity to make admirable assistants under European guidance; what they have yet to prove is their capacity for guiding others.

33875 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No, for the reasons already given in my answer to question (7).

33876 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means

of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to any system of recruiting "Natives of India" by means of examination apart from nomination.

33877 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system; all classes and communities should be represented? If so, how would you give effect to this principle?—I think that, as things are at present, the best system under which "Natives of India" could be admitted to the Civil Service is on the lines of the present system of "listed" posts. In this connection I should like to say that the number of such posts should not be fixed as a minimum to which "Natives of India" shall be appointed but as the maximum up to which they may be appointed. Appointments should depend solely upon efficiency, and the maximum should be fixed with due regard to the imperative necessity of maintaining the essentially British character of the Administration. Moreover when posts are listed, they should not be filled by "Natives of India" until the claims of all candidates who have been recruited in England with direct reference to those posts, have first been satisfied. To recruit men for a certain known number of posts, and then to debar them from any chance of obtaining a certain proportion of such posts, because these have subsequently been made listed posts, is to commit a grave injustice. I should like to add that the system of listed posts is in my opinion merely a temporary expedient; it affords a side-door for entrance to Indians who have also the right to come in at the front door of the present competitive examination. I see no reason why they should not come in sufficiently freely by the front door to make the opening of any side-door unnecessary. This is in fact what I should like to see. As regards the representation of all classes and communities it is a very difficult question. I think it is fairly certain that, whatever may be the method of regulating the admission of Indians, if it is found that it results in the admission of a large preponderance of any one class or community it will not be regarded as satisfactory by Indians themselves. This is another reason why a system of open competitive examination would not be suitable. On the other hand, if, under any system of nomination, regard has to be paid to the due representation of the various classes and communities, the selection will at once be fettered and the desired representation will only be effected at the expense of efficiency. In other words, we

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shall be forced into nominating men, not because they are the best men we can get, but because they belong to a class or community which is not sufficiently represented. I cannot myself see any satisfactory way out of this dilemma, but can only state that the existence of distinct classes and communities among Indians constitutes to my mind a serious obstacle, not only to the devising of a system of admission which will be suitable and satisfactory to all Indians, but to their subsequent general efficiency in administrative work. It is a truism to say that success in administration does not depend merely on the capacity a man may show at his office table, or on the mere correctness of his official decisions, but largely on his personal influence. I do not say that is necessarily impossible, but I do say that it will be extremely difficult, for an Indian of one class or community to gain and successfully exercise such influence over Indians of other classes or communities, and this necessarily imposes a very definite limitation on what may be his own intrinsic efficiency and capacity.

33878 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—No, I think that any method of recruitment that is suitable for the Administrative Branch will probably be equally suitable for the Judicial Branch of the Indian Civil Service. Judicial Officers of the Indian Civil Service may perhaps be, occasionally, somewhat lacking in legal attainments, but their general training and experience of Indian life constitute, to my mind, a qualification equally valuable for the disposal of Judicial as of any other kind of work, and Civilian Judges supply a special element on the Bench which I think it would probably be unwise to eliminate. I may add that this is purely a personal impression, and that I have not myself had any experience in the Judicial Branch.

33879 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I would put the age-limit at 18-20 so as to attract candidates of the normal school-leaving age in England; for it is the public-school man that I think we want to get.

33880 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—With a very small percentage of exceptions, the recent recruits to the Indian Civil Service have been, according to my experience, suitable; but while admitting that I cannot produce anything tangible in support of it, I have an impression that their quality is tending to decline rather

than to improve. I attribute this to the fact that the popularity of the Service has declined in recent years.

33881 (18). What is the most suitable age at which junior civilians should arrive in India?—About 21. Service in India is a specialised one and I think that the younger, in reason, a man comes out to it, the better.

33882 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I do not know what age-limits would best suit candidates who are Natives of India, but I do not see any reason to differentiate between them and other candidates. I do not like differentiation in principle: it is apt to be invidious and the less we can have of it the better.

33883 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—Yes, I consider it desirable to continue to reserve the posts described in the Schedule of the Indian Civil Service Act of 1861 for the Covenanted Civil Service, because in the first place I do not think we can get better qualified men to fill them, and in the second place we require some guarantee for intending candidates for the service.

33884 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Please see my answer to question (10). I like reservation as little as I do differentiation. It implies weakness, and though it may not be possible under present circumstances I should prefer to do without it. I should like to see Indians gaining admission to the Civil Service on precisely the same level and under the same conditions as other competitors, the necessary British proportion being maintained by mere efficiency. But so long as Indians are to enter the service under other conditions, which are not open to any other competitors, I think strict limits of reservation must necessarily be imposed, and I would propose a limit of 20 per cent. of the posts included in the Indian Civil Service Cadre as available for Indians, including those who have gained admission in the ordinary way. If special

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conditions for Indians were to be eliminated, then in my opinion no reservation would be necessary or should be made.

33885 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Please see my answers to questions (10) and (24). I regard the special recruitment in India as a temporary expedient of which I do not recommend any alteration at present but which I should hope Indians would themselves be the first to wish, and to try, to do without.

33886 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—My answer also covers *questions (47) and (53) to (56). So long as admission to the Indian Civil Service can be obtained purely by examination, and without any selection or nomination, a probationary period in England is necessary. I should prefer 2 years to one, to be spent at a residential University and in a residential College. But I consider this probation at home a makeshift and unsatisfactory expedient, only necessitated by our present system under which we do not know, or pay any attention to, what the previous training of our candidates has been. Under these conditions a probationary period of 2 years at a University is better than nothing, but it cannot possibly make up for the public school training that every candidate ought in my opinion to have had. If our candidates were selected men, whose selection depended largely, as it ought to do, on their having had a satisfactory school training, I do not think that any probationary period in England would be necessary, and while it is easy to see the difficulties in the way of probation in India, I believe these could be overcome, and I would prefer a probationary period of 2 years out here as being of more practical utility to candidates. I am not in favour of any one centre of training in India: on the contrary, I think the training should, and could, be arranged for in the respective Provinces to which the candidates would eventually be posted, except perhaps in regard to the Law course. It might be difficult to arrange for this course in the Provinces, and if so the necessary arrangements could be made at big centres like Bombay, Calcutta and Madras. Probationers should certainly have

an allowance; at home, at a University, I would suggest £150 a year: out here, it would depend on the system adopted, but the allowance would have to be larger, say, Rs. 300 a month.

33887 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system, but with the present age-limits, the period of eight years is not suitable. No officer of the Indian Civil Service at the age of 30 should have to hold an inferior appointment, and if the present age-limits are retained, the recruitment should be adjusted so as to secure superior posts for Indian Civilian after a period of five years' service.

33888 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—In the Central Provinces four appointments of Settlement Officers and one of the Registrar, Co-operative Credit Societies, have been included among the superior posts. In actual practice all these appointments are held by comparatively junior officers who ordinarily do not draw as much as Rs. 1,000, and these five posts should therefore be included among the inferior posts.

33889 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—The main principles underlying the scheme of recruitment are set forth in question (72), and in my answer to that question I have criticised these principles as not being sufficiently liberal. Apart from this I do not challenge the general accuracy of the figures adopted in working out the scheme of recruitment or the suitability of the scheme for securing the attainment of the object aimed at. But I wish to bring specially to the notice of the Public Services

* For these questions please see [pages vii-viii of this volume.

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Commission the very serious block of promotion that exists at present in the Central Provinces and the way in which, by deviation from the scheme of recruitment, this block has been intensified. The actual position on the 1st January of the present year was that all the officers of 13 years' completed service, four in number, were drawing less than Rs. 1,000, while out of 22 officers of more than 8 and less than 14 years' service only 4 were receiving salaries exceeding this figure. Even in July last year—the height of the leave season when officiating promotion is at its best—there were 4 men, or including those on leave, 10 men, of over 8 years' service whose salaries were less than Rs. 1,000. Going higher in the ranks of the Commission, two officers with over 18 years' service have been recently reverted to their substantive posts of 3rd class Deputy Commissioners, with a salary of only Rs. 1,500. According to the scale laid down by the Government of India for the officers of the Political Department, an officer of this length of service should expect to receive in the Provinces emoluments amounting to Rs. 2,250, while according to the scale of assumed pay in Article 754 of the Civil Service Regulations, he should expect to receive Rs. 2,000. The block is aggravated by a grading which, compared with that existing in other provinces, is extremely unfavourable. There are three main directions in which, by deviation from the approved scheme of recruitment, this block has been intensified, *viz.*, (i) the assumption of a list of superior posts containing posts which ought not to be classed as superior at all [*Vide* my answer to question (76)]. (ii) Over-recruitment. (iii) The recent and sudden curtailment of this list of superior posts by the "listing" of these posts. As regards over-recruitment, the main cause of the block is the defective recruitment in the eighties and the consequent necessity of very rapid recruitment later on. But to see how the present scientific scheme of recruitment has been worked, it was approved, though not formally brought into force till 1900, in 1896, and that date may therefore be taken as a starting point in contrasting the actual with the theoretically correct figures of recruitment. Towards the end of 1903 Berar was joined to the Central Provinces, and from that date recruitment has been normal, though subsequently rendered abnormal as will be shown later. But from 1896–1903 recruitment was excessive. The actual number recruited during these 8 years was 36, which does not include 2 Civilians brought in from other Provinces and still in the Central Provinces Commission. During these 8 years the sanctioned strength of the Commission remained constant at 73 and the correct recruitment at 4.31 per cent., which was then adopted as the scientific rate, would have been 3.15 men a year. This would have resulted in a total of 26 men, while the actual recruitment exceeded this by 44 per cent. The reason for this was that the sanctioned strength of the Commission was considerably above the actual strength, which at the beginning of the

period was as low as 62, rising gradually to 72 at the end. Such discrepancies between actual and sanctioned strength were duly foreseen when the scheme of recruitment was framed, but the maximum permissible deviation from the normal rate or recruitment in any one year was 30 per cent. (*vide* paragraph 14, Home Department Despatch, No. 10, dated the 10th February 1898). Even this 30 per cent. addition would have permitted the recruitment of only 4 men yearly to the Central Provinces—a serious matter in itself if repeated year after year—but the actual recruitment was 4½. Turning to the curtailment of the number of superior posts, last year the number of superior posts ordinarily reserved for members of the Commission was suddenly reduced by 4. Three Berar posts were "listed" and the number of posts under the Government of India allotted to the Central Provinces was also reduced by one. The sanctioned strength of the Commission, which had risen to 107, was thus reduced by a stroke of the pen to 99, and junior officers were deprived of all hope of 8 posts to fill which they had been recruited and in which they may be said to have a vested interest. Recruitment since 1903 has been normal, but this sudden reduction in the number of superior posts has made it excessive. The reduction has also affected more senior officers, and if it be urged in reply that since their recruitment other superior posts have been added to the cadre, the rejoinder is that they themselves were over-recruited in the ten years 1893–1903. The result is that the Commission contains a large excess of officers in the lower ranks. The actual strength of officers available to fill superior posts is 107 as against the sanctioned strength of 99. There are really only 46 superior posts, as follows:—

Normal number	51
Deduct—listed posts	-6
Add—Government of India posts	+4
Add—4 per cent. for deputation	+2
Deduct—4 posts of Settlement Officers and 1 of Registrar, Co-operative Credit Societies	-5
Total	46

Under the present scheme the strength of the Commission should be 194.5 per cent. of the superior posts or 89 men. We actually have 107 or 61 in the lower ranks instead of 43. The position calls urgently for redress.

33890 (92). Are the present rates of pay and grading snitable. If not, what alterations do you recommend?—My answer relates also to *questions (93) to (95) and (99). The grading of the Covenanted Service in the Central Provinces is notoriously indefensible and the pay of the Central Provinces Commission is still regulated by a scale inferior to that in other provinces. This disparity is all the more marked owing to the absence of any prizes to which officers in other provinces may aspire. It is a matter of common knowledge that within the last 20 years the general cost of living

* For these questions please see pages ix-x of this volume.

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has risen very greatly. Within that period the prospects of other Departments of the Public Service have all been materially improved and it seems only equitable that the salaries of the Covenanted Service should be revised also. I think the most satisfactory method of improving the present position would be by the introduction of a time-scale of pay similar to that recently approved for the Political Department. Such a scale should include all those appointments of which the emoluments are less than Rs. 2,500, and should not prejudice the local, personal and deputation allowances at present in force. There should be only one class of Commissioners with a salary of Rs. 35,000 *per annum* so as to bring their pay into line with that of officers holding similar appointments in other provinces. Exchange compensation may be abolished but an amount equal to the loss should be included in the substantive pay.

38891 (116). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—I select this question relating to leave as being a general one to which a general answer will be suitable. I understand that most of the present rigid restrictions now imposed in the leave rules are to be abolished. This is desirable, but the main line on which the rules require revision is in the direction of allowing shorter leave at more frequent intervals and, subject to a reasonable limit, on full pay. The existing rules were framed under very different conditions and they are now defective in three main respects—(a) they allow officers to defer taking leave when they require it and to accumulate it so as to be able to take periods of leave for longer than is either necessary or in the interests of the service. (b) They do not offer sufficient inducements to take leave often enough to keep an officer at his best physical and mental level. (c) They make no provision for compelling officers to take an annual holiday from work. The object of the leave rules should be to secure a scheme which will be of benefit both to the Service and to the officers concerned. It can hardly be argued that it is in the best interests of the public service for an officer to absent himself from duty for two years, in the course of which he must necessarily lose touch with the conditions of his work in India. Still less can it be to the interests of either the service or himself for an officer to go on sticking to duty for several years together, being, if not actually sick, necessarily stale at his work. But this is a very ordinary feature under the present system, for the simple reason that, even by combining privilege leave, an officer cannot afford to take leave of which the greater portion is on half pay, unless and until he has scraped together some savings, an attainment of ever increasing difficulty and requiring more and more time to achieve. As regards privilege leave, the power to combine it with furlough is at the

best only a make-shift remedy for what was recognised as a serious grievance, and is opposed to what was undoubtedly the original intention of the leave, which I take to be to permit an annual holiday in the country without any idea of its enabling a man by accumulating it, to run home for a few weeks. I believe such an annual holiday is necessary to the proper health and efficiency of officers, and I should like to see the accumulation of privilege leave forbidden and every officer compelled to take his month's holiday every year. This proposal will probably be unpopular and, though its unpopularity would not necessarily constitute a strong argument against it, I think it requires some compensating alteration in the long leave rules, which I would propose on the following lines. On an average every officer wants about eight months' leave every fourth year. The present rules allow a little more, but, while I think they allow an unnecessary amount of leave, the present allowances do not enable an officer to avail himself of it. If he were allowed his leave on full pay up to a certain limit, there can be no doubt that he would invariably take it as soon as he could get it. I propose that furlough on full pay up to a limit of Rs. 2,000 *per mensem* should be earned at the rate of one month on every six months' active service, the yearly one month's privilege leave to count as active service for this purpose, making a total of 3 years 7 months furlough earned in a total service of 25 years. Thus every officer after 3½ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay, when he could go home and have a thorough change. This leave would, of course, have to be taken at such a time as might be convenient to the interests of the Public Service: an officer would not be allowed to claim to take his leave at any particular time convenient to himself, but would have to take it when he could get it and would even be liable to be sent on leave when he did not want to go, if he had leave due to him and if it was convenient to the Public Service that he should go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another. It would also be necessary to prohibit the accumulation of this leave for more than, say, a maximum of 5 years. It would also be necessary to provide for medical leave and leave on urgent private affairs, the latter leave being restricted to 6 months, and leave in either case being on half pay only. The total leave on full pay up to the limit of Rs. 2,000 to be enjoyed by an officer in 25 years' service would be 3 years and 7 months and in 30 years' service 4 years and 3 months. I do not think this can be called an unreasonable amount of leave, nor on the other hand, should there ordinarily be any necessity for more. Under this scheme the number of officers absent on leave at any one

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time would be reduced and the present reserve of 20 per cent. for leave vacancies could be correspondingly reduced, probably by about 6 per cent. The scheme may cost more, but it will secure for the Public Service the maximum efficiency of its officers, while avoiding the long absences of as much as two years which are now permissible. To the officers it should ensure sufficient opportunities of relaxation and change of climate, with sufficient means at their disposal to take advantage of them.

33892 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—My answer refers also to *question (122). I do not consider the present system of equal annuities to all members of the Indian Civil Service entirely satisfactory. I think a man who is good enough to rise to a post of Head of a Province should after five years' office get an increased pension of £1,500. Also that officers of over 25 years' service, who have for five years held posts of the rank of Commissioners or over, should get a pension of £1,200. In each case any such officers retired on medical grounds within the five years' term should be given an increase proportionate to their period of office.

33893 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No, I would not approve of any system of pension varying in amount with the amounts of salaries drawn at retirement, for this might work very unfairly.

* For this question please see page xi of this volume.

MR. R. C. H. MOSS-KING called and examined.

33896. (Chairman.) You are Financial Secretary to the Central Provinces Administration?—I am Secretary in the Finance Department.

33897. You would like to see some system of nomination introduced into the open competitive examination in England?—Yes.

33898. Your main reason for introducing this system would be to ensure that those candidates who were admitted to the Indian Civil Service should have had a public-school education first?—Not necessarily.

33899. You lay very great stress upon that point, do you not?—I think the school training is an important part; and of school training, I should prefer the public-school training. I did not mean to imply in any way that it should necessarily be preliminary.

33900. You do not mean to imply that it is a necessity that a young Civilian should have been to a public school?—No.

33901. Do you think that there might be difficulties in introducing such a system as you suggest, having regard to public opinion in

But I am in favour of the abolition of the 4 per cent. contribution. The pension should be non-contributory and might, as such, be reduced, and I would still levy 4 per cent. extra as a compulsory contribution, not to the pension, but to a Provident Fund which would form an addition to the pension.

33894 (125). Do you consider the existing pension rules suitable in the interest both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—As regards retirement, I consider that after 25 years, further service should be at the option not of the officer concerned but of Government. There is no hardship in retiring a man who has earned his pension, and in retaining an officer for further service Government should have regard only to his efficiency in the post he holds, combined with his capacity for future promotion, should any such chance come his way. For example, supposing a man at 25 years' service was still only a Deputy Commissioner, he might be an efficient Deputy Commissioner, but I would not retain him only on that ground. There are heaps of men capable of being efficient Deputy Commissioners and I would only retain the man who was fit for promotion to a Commissioner or other superior post. I do not believe this would militate against the attractions of the service, but on the contrary would be in its best interests.

33895 (135). Have you any other proposals to make in regard to the conditions of pension not covered by your answers to the above question?—I consider that the subscription to the Family Pension Fund should cease on retirement, and unless the furlough pay is increased, it might with advantage be suspended, to be recovered on return to duty, during furlough.

England?—I do not see why there should be. The work of the Nomination Board would not be a matter of selecting desirable candidates so much as rejecting the possibly few undesirable ones.

33902. You think that a Board could be devised which would satisfactorily discover disqualifications in a young man when he presented himself before them?—I think the very fact of the Board being constituted at all would probably prevent a certain number of candidates appearing.

33903. Have you thought out what the character of the Board should be?—As I have said in my answer to question (6), the Board should consist of at least half men who have served in India; the other half should be men of public position at home, preferably with administrative knowledge. I think that such a Board would be able, on certificates and school records, to say, generally speaking, whether a man was a desirable candidate or not.

33904. The Board, however composed, would, in the main, have to depend upon the records

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and certificates which were placed before them?—In the main the system is somewhat of the same kind as is now in vogue in the Navy, though at an earlier age, of course. The Navy candidates have to go up before a Board of Admirals, as I understand, and those gentlemen must go on certificates, and probably they would be private school certificates at that age.

33905. You have no objections to Indians in the Service provided they come in by the main door on their merits, and have a British training?—Yes.

33906. You think that if a special door is opened to them, and to them alone, some reservation would be needed. Could you tell us a little more specifically, in the first place, what you think constitutes a "British tone" for an Indian candidate?—I think he ought to go to a school in England; that is to say, he ought to start at home at about the age of fourteen.

33907. Do you think that Indian parents as a rule will be willing to part with their children at that age?—No, perhaps not.

33908. So you see serious difficulties in the way of carrying out such a proposal?—I admit the difficulties; but if the Service is to retain its British character (unless, of course, you simply put a restriction on the number of Indians to be admitted), I do not see how you are to maintain it.

33909. Would you consider that a candidate had had a British training if he went to England at the age of 17 or 18, and had a full University career, and took his degree?—I should prefer the school training.

33910. The point I put to you is whether you think he would have had a British training if he had passed at a University the time which is necessary to take a full University course?—That would be four years. Yes, I would take the course at the University.

33911. You object both to a simultaneous examination and to a second examination for a limited number of Indians?—Yes.

33912. I gather that you do not fully approve either of promotion from the Provincial Civil Service up to superior posts?—It is what I call the side door; but I have not proposed altering it.

33913. Am I to infer that you do not think that the training in the Provincial Civil Service adequately qualifies an Indian for service in the higher posts?—Not of itself.

33914. What do you mean by "not of itself"?—It depends upon the officer. It gives him an excellent chance.

33915. Is your experience confined to this Province, or have you served in other Provinces?—I was in the Political Department.

33916. So that as regards your personal experience of Indians serving in higher posts, I suppose it is mainly confined to this Province?—I have had practically none in the higher posts. We have got very few.

33917. When you say: "I have not myself been so fortunate as to know a single member of

that Service whom I should be able to recommend as fit to fill efficiently the post of a Deputy Commissioner," you do not speak for any other Service than that of this Province?—What I meant by "knowing" was, working with him. I should not know a man unless I had worked with him.

33918. The value of your opinion is affected by the fact that you have not been brought into contact with many such Indians?—I mean that I have not worked with any man in the Provincial Civil Service myself in this Province whom I should be able to recommend for that post, after having worked with him.

33919. At the same time, you suggest that, if any further admissions of Indians are to be made to higher posts they should be made by means of increases in the listed posts?—Yes.

33920. Assuming that an examination were to be established in this country for a limited number of Indians, of the same standard as the examination in England and with a condition imposed that those Indians who were successful would have to go through a training in England at a University, would you still say that promotion through the Provincial Civil Service to listed posts was a preferable way of offering further admission to Indians?—Could such successful candidates put in four years at home?

33921. You make it conditional that it must be four years?—I should doubt two years being long enough. It would not be a full University course, and never would be.

33922. Assuming it was three years, what would be your reply?—It all depends upon how much training at home you call "British training." That is my only point. If that could be worked, it would approach more to what I have suggested.

33923. You have laid stress on the importance of the maintenance of efficiency in the Public Service. Would you admit that efficiency in these days is, to a certain extent, dependent upon the political conditions of the country, and that the political conditions of the country have to be taken into account?—Taken into account, certainly; but I am not quite clear as to what you mean as to efficiency depending upon them.

33924. I will put it in another way. Do you consider that the demand for increased facilities and opportunities for Indians to-day is one which requires serious consideration?—Certainly.

33925. You suggest, I think, that the age limits should be reduced from 20—24 to 18—20?—Yes.

33926. Would that make it more difficult for Indians to pass through the open examination in London?—That I cannot say. I think it is really a question which only an Education Officer could answer. I am afraid I do not know how that would affect it.

33927. If it were made clear that it was to the interests of European efficiency in the Service

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that the age should be decreased and if this raised a further obstacle in the way of Indians passing by the open examination in London, would that be a reason for considering other facilities for them?—Yes.

33928. You suggest, by way of getting over some of your Service difficulties, that members of the Service recruited at the present age-limits should be brought into superior posts after five instead of eight years' service. To secure this, would it not be necessary to reduce the inferior cadre posts from 39 to 16·7 per cent. of the superior posts and to have the leave and training reserve correspondingly reduced also? Have you thought out that point?—No, I have not. It has been brought to my notice since. My only point was that at about the age of 30 (which would at the present ages of entrance mean about 5 to 6 years' service) a man ought ordinarily to draw the pay of superior posts, and that efforts should be made, if necessary, to alter the recruitment to secure that.

33929. You admit on closer examination that the reduction of this eight years' period would necessitate a reduction in the cadre?—Yes.

33930. The work in this Province would not justify such a reduction, would it?—I do not think it could be reduced.

33931. If the age limit were reduced as you suggest, and the eight years' period were maintained the same, that in itself would ease the situation, would it not?—Yes, at once.

33932. I do not think I need examine you on your Service proposals because they are very clearly and very concisely put forward, and we are grateful to you for them. I think they coincide largely with the proposals made by your Government. But I see you suggest one point which is different. You lay great stress upon the importance of an officer taking leave every year?—Yes, I think it would be an advantage.

33933. I can understand the advantages of it, and I need not discuss that; but do you think it could be carried out in practice?—Yes, it is only short leave; it is only a month.

33934. For instance, are there places in this Province where an officer could go and really enjoy rest and recuperation and a change of climate within a month?—I think I should recommend his going for leave to another Province.

33935. But do you think he could do it within a month?—Yes.

33936. But what about the very difficult question of expense?—If an officer is married and has a family he would have to move the whole of his establishment, would he not?—The real object is to get him away from his office table.

33937. The real object is no doubt to get him away from his office table, but the question is whether this can be carried out in practice?—If you are going to insist upon an actual change of scene, it might be; but the real advantage of it is to insist upon his leaving his office table.

33938. If it were practicable, you think it would be to the advantage of the officer, and certainly to the advantage of the Service?—I think it would be to the advantage of both.

33939. (Sir Murray Hawmick.) As regards this question of one month's leave every year, it

has been suggested to us by one or two officers in other places. Your idea seems to be that the Deputy Commissioner, for instance, would derive considerable benefit by taking a month's leave and staying in his station?—Or going out in his district: it does not matter.

33940. Shooting?—Yes.

33941. This leave would have to be given, I suppose, as the Government finds it convenient to give it?—Yes, entirely.

33942. So that a man might find himself working all through the hot season desiring a month's leave very much, and the Government might say to him the following December, "Now you had better take your month's leave and go away." That would not quite fit in with what the officer desired, would it?—No, not entirely.

33943. And it would not be doing him the same good as taking leave when he feels run down?—He would have a holiday sufficiently often to prevent him being run down.

33944. Do you suppose an officer who is serving in a lonely district and in not a very good climate would derive any benefit by taking a month's leave every year and remaining in the district?—I think that would depend largely upon the district. I am not insisting that he should remain in the district at all.

33945. Supposing he had to go away and get a change which would do him any good—if he was down at Chanda, where could he get a change that would do him any good?—He could run up to Batoul.

33946. How would he occupy himself at Batoul if he was not very fond of shikar?—He would not go to Batoul in that case.

33947. I can quite understand your shikari would accept the position, and it would probably be very convenient to him to get a month's shooting every year; but every Civilian is not a shikari and he might want to get away to rest his mind and body. What would he do in the Central Provinces?—It would depend upon what his pursuit and interests are.

33948. Supposing his interest is reading, or any other hobby which he could not pursue in the jungles, where would he go in the Central Provinces to get it?—He might possibly desire a pursuit that he could not attend to in the Central Provinces.

33949. Do you not think your proposals are made chiefly having in your view an officer who is a shikari and nothing else?—No, I do not think that was in my mind at all.

33950. Take the District Officer who finds his leisure in meeting his friends and associating with them, where could he get that in the Central Provinces in the hot weather?—He might not be able to get it in the hot weather; but he would not always have his leave in the hot weather.

33951. Supposing he got it in the cold weather, where would he go for a month, it is only a month you are talking of. Where would he go for his month?—In the cold weather it is quite impossible to go anywhere.

33952. He would not find much change in coming into headquarters at Nagpur for a month; it is not quite the sort of change that would do

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his mind much good?—He would be entirely relieved of work. That is my point.

33953. Do you not think that a man benefits a great deal more by getting right away from his own district and to a new set of associations than he does by going to a hill station in his own Province for a short period?—He benefits very much more by a complete change.

33954. Do you not think that a man taking a month's leave, and not getting away from his associations, is not likely to derive much benefit from the month's leave?—I would not go as far as that.

33955. Unless he can spend it, as you say, shooting. I quite admit that a man who shoots gets a complete change. But if he does not shoot where is he going to get the association and the fresh intercourse he wants, after working alone for a whole year? Where is he going to get it in a place like the Central Provinces?—I think he would have to wait for his furlough for that; meanwhile, he would get his month.

33956. His month would not do him much good. Do you think it would?—I think he would come back fresher to his work.

33957. I quite admit that. Another point is, how would you arrange for doing his work in his absence?—For a short period that could always be done.

33958. Does it not often happen that a man goes away for a month's leave and comes back and finds that owing to the necessity of filling up his post by a person who is not able to assume all his work, the work has accumulated in his absence, and that there is practically a month's work in arrears which he has to make up by working extra hard when he comes back?—I do not think that that would apply under present conditions.

33959. Do you think that many officers in the Central Provinces go away for two years' furlough?—Not many; but it is permissible under the rule.

33960. It is permissible; but surely very few do?—Not many.

33961. Do you think that officers would be satisfied by getting in their whole twenty-five years' service, three years and seven months' leave?—I think they would be more than satisfied with the terms I have given.

33962. You have not worked out the cost of this scheme of yours, have you?—No.

33963. With regard to your answer to question (119), you suggest that the pension given be non-contributory, and as such, might be reduced. Do you not think from your recollections and your knowledge before you came out to this country, that the fact that the Civilian gets £1,000 a year is one of the greatest attractions which attracts him in the open competition in England?—Yes, I think it was. I do not think it was understood that a great deal was not contributed by Government.

33964. Do you not think any reduction in the £1,000 pension would tend very much to reduce the popularity of the Service among young men who come up for the Service in England?—It would be very quickly understood if it did mean a real reduction.

33965. You would sooner see that contribution stopped, and a reduction of pension, provided the contribution was made into a Provident Fund?—Yes.

33966. You would like to see compulsory retirement, at the option of Government, of every officer after 25 years' service?—Yes.

33967. Do you not think that that would give a feeling of insecurity in the Service which would not be altogether beneficial to the working of the Service?—I do not think so; not if one's full pension had been earned.

33968. You would not like to see a Commissioner given the right to order a man to retire after 25 years' service—the matter would have to be referred to the Secretary of State?—I think that would be unnecessary. I would have no objection to a reference to the Government of India.

33969. Do you think that before a man had served 25 years the Government ought to have the right to get rid of him if they thought he was a bad bargain?—That is a very difficult question.

33970. Supposing a man is found after he has served through his ten years' service as an Assistant Commissioner and the Government tried him a couple of years as Deputy, and found him hopelessly inefficient and that he could not run his District, do you not think that Government might have the right to get rid of him on a minor pension?—It would be a cheaper way for the Government.

33971. You would like to see such a system introduced?—It would be very good from the Government point of view.

33972. In that case you would like to see it done by the Secretary of State, and by no officer lower than the Secretary of State?—I think so. It should go to the Secretary of State.

33973. If it was protected in that way you would not object to seeing your scheme introduced?—No.

33974. (Mr. Fisher.) Why do you say that the popularity of the Service has declined?—Because of the conditions that have been obtaining for the last few years.

33975. What conditions have you specially in mind?—Pay, largely.

33976. Do you think that really has had an effect upon recruitment in England?—I think it is bound to have.

33977. Your argument is really a deductive argument. You are deducing unpopularity from the fact that the pay is unsatisfactory. Have you any actual evidence that the Service has become more unpopular?—I have certainly heard a great many retired Civilians who have been very successful in their way tell me personally that they were not recommending the Service to their sons.

33978. On the ground of pay?—No, not necessarily on that ground.

33979. Any other ground?—The general conditions of the Service.

33980. Could you specify more clearly the respects in which the Service seems to you to have deteriorated?—No, I prefer not to.

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33981. I am not quite certain as to the consistency of your main position. I gather that you would prefer to see the Indian members of the Civil Service recruited through the English door?—Yes.

33982. And if a sufficient number were recruited through the English door you would be quite content to see the side door through the Provincial Service closed?—Yes.

33983. On the other hand, you are recommending that the open competitive examination shall be held at the school-leaving age in England?—Yes.

33984. Will not that inevitably have the effect of reducing the number of Indian candidates who come through the English door?—That I cannot say. I have already said that I do not know what effect that would have in reducing the age. I was only thinking, really, of recruitment from England. If it had a had effect on the recruitment from India, I have already, I think, given the answer that that is a case for compensatory facilities being afforded in another direction.

33985. In your own mind you would attach primary importance to reducing the age in England in order to obtain a better British element?—Yes.

33986. Do you think that if the side door were completely closed it would be satisfactory to the Provincial Civil Service?—No; that would be a disadvantage. At present it is a very useful attraction to the Provincial Service.

33987. Is it your idea to have a fixed, or rather a sliding scale of proportion between the numbers recruited through the Provincial Service and the numbers recruited through the open door in London? Supposing that you decide that you will have, say, ten Indians admitted into the Service in one year, is it your proposal that if six of those are admitted through the London door, four will only be admitted through the Provincial door?—I propose a limit as long as the special conditions for Indians are kept, of 20 per cent.—one-fifth.

33988. Therefore the more who pass into the Service through the London door, the fewer will pass into the Service through the Provincial door?—Yes, I think so. But you must have the Provincial door.

33989. (Sir Theodore Morison.) In reply to question (7), I notice that among your objections to simultaneous examination you mention in general terms that you think there would be a strong objection in India itself. Have you any facts to go upon? Is this the result of experience which you can definitely put before us?—They are the result of views personally mentioned to me.

33990. Has anything come before your notice, or Government's notice, officially,—petitions, for instance?—Not that I know of; no petitions.

33991. Anything which you could in any way describe as an official application to Government?—No.

33992. It is merely upon the strength of private conversation?—Private conversation; and officially to the extent, for instance, that I have had applications. As a matter of fact, I think I have hardly ever entertained a transfer of cases from an Indian to a European Court.

33993. You have had applications for transfer from an Indian to a European Judge?—Magistrate.

33994. Those are the only examples you can remember in your own official experience?—Officially there are applications.

33995. I want to go back to the answer you gave Mr. Fisher about the growing unpopularity of the Service. Have you ever had an illustration of it among your personal acquaintances as, for instance, an Indian Civilian declining to enter his son for the Service, supposing his son was likely to pass?—Yes, I have.

33996. You have known cases?—Yes.

33997. In which a Civilian deliberately chose for his son another profession?—The latest instance I am thinking of is quite a recent one. He had not chosen it because the boy was still under the age. He told me he was not going to stand in the boy's way if he made up his mind to try for the Service, but that he was not in any way going to recommend it.

33998. You have said, in answer to question (10) that you would like to see Indians coming in by the open door: that is your position?—Yes.

33999. The numbers who have so far succeeded in coming through is very small, is it not?—Yes.

34000. Would you support the proposal which has been put before us of assisting to promote a greater number of Indians coming in, as, for instance, by giving scholarships?—Yes; I should be inclined to support that, subject, if possible, to training being given at home.

34001. That would be a proposal which you would be prepared to support?—Yes.

34002. You are aware, I dare say, that there are a certain number of what are called Government Scholarships of £200, which must be spent at Oxford or Cambridge?—Yes.

34003. And the holders of quite a considerable number have already succeeded in getting into the Indian Civil Service?—Yes.

34004. It has been suggested that that number might be very considerably increased, that it should be fifteen a year instead of, as now, two a year. That is one suggestion which has been made. We might differ as to the number, but is that a sort of proposal which you would like to support?—Yes, that is the kind of proposal I should be prepared to support.

34005. In answer to question (13) you say that the Civil Service supplies a specially valuable element on the Bench which it would be unwise to eliminate. Do I understand that from the use of those words "special element" you think there ought to be other elements as well?—I am speaking of the Bench as it exists now, generally.

34006. The proposal has been urged upon us in very many centres that a certain number of legal practitioners in this country should be appointed to the Bench. I do not know from your answer there whether you intend to support, or to oppose, that?—All I meant to say was that it is merely an impression, because I have not myself had any experience of the Judicial Department at all. What I meant was that I thought the Civilian Judges were as necessary as a minimum proportion in the Judicial line as in the Administrative line,

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34007. In answer to question (115), referring to the terms of service, you say: "Under this scheme the number of officers absent on leave at any one time would be reduced and the present reserve of 20 per cent. for leave vacancies could be correspondingly reduced, probably to about 6 per cent." I do not know how you arrive at that conclusion. Do you know?—I am afraid I do not. As a matter of fact, it is being worked out.

34008. (*Mr. Chaudh.*) With regard to that point as to the unpopularity of the Service, do you find that the number of candidates competing for the examination has been less than in the years you have been speaking of?—I cannot tell you. I do not know what the numbers are.

34009. The numbers of those appearing at the competitive examination do not seem to have been lessened latterly, do they?—Perhaps not. I do not remember.

34010. Have the University authorities at home ever made complaints that the Service is getting less attractive, and that they therefore find fewer numbers coming in?—Not that I know of.

34011. Is it the feeling of gentlemen in the Service now that a fewer number of the sons of older Civilians are coming in now than used to be the case at one time? Looking at the Civil List the other day I found that there are several young men who are the sons of retired Civilians. Is it the feeling that a fewer number of the sons of some families are now coming out than used formerly to be the case?—I can only speak for myself. I do not know whether there is any feeling in the Service. I merely happen to have come across two or three instances amongst personal friends. That is all.

34012. At the same time you have found amongst persons who have come out, say within the last eight or ten years, that some were sons of Civil Servants?—Yes.

34013. Amongst the questions which you have not answered there is one upon which I should like to get your opinion. Would you like the old Statutory Service revived?—I have not answered that question.

34014. I put this question to you on account of the opinion which you have given in answer to other questions. I ask you, would you like to see the old Statutory Service revived?—Personally I have not had any experience. I have never served under or with a Statutory officer at all.

34015. The Statutory Service was mainly recruited by nomination by Government, and in the last Public Service Commission there was almost a universal body of opinion, as there has been now in the present enquiry, that that system was a failure?—So I understand, but I have not had any experience of it.

34016. I ask these questions because you lay down a sort of general proposal that any system of open competitive examination for Indians cannot be sound. I want to have your opinion as to whether you have in practice found any regular system of selection and nomination successful in this country; or, on the other hand, whether you have found for the Provincial or any other Service, that recruitment by open competition proved a failure as compared with nomination?—

But there has not been any recruitment by open competition.

34017. But we have had evidence in other Provinces that the Provincial Service was recruited by open competition?—It is not the case in these Provinces.

34018. You have no experience of any Service of Indians being recruited by open competition?—No.

34019. May I know upon what facts you go when you say that as far as Indians are concerned a system of competitive examination is not suitable; or is it merely a theoretical opinion?—It is a theoretical opinion.

34020. Then I understand from the next sentence that you consider that if there is an open competitive examination all castes might come in?—I suppose so.

34021. You say: "I have already mentioned that caste is of paramount importance. The competitive examination would exclude caste from consideration altogether." May I know how you reconcile that sentence with another of your opinions when you say, "This is another reason why a system of open competitive examination would not be suitable," namely that if there was open competitive examination a large preponderance of one class or community would not come in. In one place you say that the system of open competition is to be condemned because it would bring in any class, and in another place you say that the system of simultaneous examination is to be condemned because it will bring in a preponderance of one class?—I say "If it is found." I do not say: "If it was necessarily found." I say: "If it is found that it results in the admission of a large preponderance of any one class or community it will not be regarded as satisfactory by Indians themselves."

34022. Supposing there were simultaneous examinations, would you expect that the Service would be swamped by men of one class or community, or that men of different classes and communities would come in?—To start with probably there would be a large majority of one or two classes.

(Adjourned for a short time.)

34023. (*Mr. Chaudh.*) Further down in that same answer you are dealing with the dilemma out of which you say no satisfactory way exists. Do you or do you not think that there is a type of Indian now rising who is free from all caste prejudices?—Absolutely so, but my point is that the people will not believe it.

34024. That is no doubt true, but I suppose that as education filters downwards it will be appreciated in time?—In a long time.

34025. If the individual himself is absolutely free from any prejudice or any class bias, then I suppose it may be expected that with the progress of education this wrong belief of the people might die down?—It will take a very long time.

34026. But it is not impossible?—I do not think it is impossible.

34027. With regard to these transfer petitions that you speak of, did you get them as District Magistrate or as District and Sessions Judge?—I got them as District Magistrate.

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34028. Is it your recollection that these petitions were made on the ground that the trying Magistrate belonged to the caste of the opposite side?—No.

34029. May I know the sort of ground on which these transfer petitions were made?—The transfer was generally asked for simply because they wanted a European Magistrate.

34030. Were these petitions readily granted?—No.

34031. Does not that fact tend to diminish the number of petitions?—I do not know whether it would tend to diminish them; I did not have many.

34032. I suppose you will agree that if you can get recruitment to the Judicial Service from persons having both a good training in Law and experience of Indian life, they would constitute a preferable material from which to recruit the Judicial Service?—I would rather not say more than I have about the question. I do not think I need have answered that question. It is purely a personal impression, and I have no experience of the Judicial Department.

34033. Have you ever served as District and Sessions Judge?—No.

34034. (*Mr. Macdonald.*) With reference to the long answer you have given to question (115), does not your proposal with regard to furlough and leave come to this, that for every twelve months a man passes in India he can have three months' holiday?—Yes, in total.

34035. Nine months' work for twelve months' nominal service?—He would not be allowed to take it in that way.

34036. No, but that is what it comes to?—It works out like that.

34037. Do you not think that is rather liberal?—I think we want some more liberality.

34038. As regards leave?—It is not liberal as regards the total furlough, I think, three years and seven months out of twenty-five years. That month's holiday in the year might make it liberal.

34039. How much of the three months on the average would be on full pay according to your system?—Up to the limit of Rs. 2,000.

34040. It would be all pay up to that limit?—All of it.

34041. Full pay?—Yes.

34042. So that, to repeat what I have already said, it would be nine months' work for twelve months' pay?—Yes, that is what it would work out to.

34043. Now with reference to your month's leave every year, do you know the practice of business firms?—I cannot say that I do.

34044. Do you know that business firms in some cases practically compel their European staff to take a month's leave every year?—I have heard that they compel them to take leave, but I did not know anything about the month.

34045. Have you heard that some firms, for instance the firm the representative of which gave us evidence in Bombay, if they find their European officers want to go to Ceylon to spend a holiday, give them a month's leave to enable them to do it every year?—I did not know that.

34046. The difficulties that have been put to you about the man who wants to read finding it difficult to get a place to read—are not those difficulties of the same kind we have at home?—I should think so, very much; but of course there is considerable difference in India on account of the different circumstances.

34047. But supposing it became a habit that the Government servants went away on a month's leave every year, would not that mean that facilities for the spending of the holiday would grow up?—Possibly. You mean the demand would create the supply?

34048. Yes, the demand for facilities would enable you to think a little bit more about it than apparently you have thought about it, and also give openings to people who can supply your demand and make a little money out of it?—Possibly, but I am doubtful about the Central Provinces.

34049. If this were adopted would there be anything that would compel a Central Provinces man to stay in the Central Provinces?—Nothing at all.

34050. If a Central Provinces man wanted to go to Ceylon, and could afford to do so, could not he go to Ceylon within a month?—Yes.

34051. And have a nice golfing holiday?—Yes.

34052. A gossiping holiday?—Yes.

34053. And a reading holiday?—Yes.

34054. Just as he likes?—Yes.

34055. You lay considerable stress upon the British character of the administration, and your view is that, in so far as that character is going to be shared by Indians, the Indian must go home for at least four years' education?—Yes.

34056. Have you had very much experience of Indians who have gone home for their education?—No, personally I have not had much experience.

34057. Have you had much experience of the development of educational facilities in India, the movements in University education?—No, I have not. We have no University in the Central Provinces.

34058. Are you aware of the efforts that are being made by your Education Department and by educationalists in India generally to improve the character and training given in Indian Colleges and in Indian Universities?—I know that efforts are being made; that is what their work is.

34059. Have you taken that into account in expressing on paper certain opinions you have put down?—My opinions as far as Universities are concerned have been simply obtained from educational officers.

34060. You have discussed the possibilities of training the Indian in Western ways with Indian educational officers?—I cannot say I have discussed it in that precise method, but what I have learned from educational officers is that at present the education the University can afford in India is nothing like equal to that which can be obtained at home.

34061. Have you gone into the difficulties that an Indian experiences when he goes home, in coming in contact with what is really best in the British character?—I am afraid I have not.

34062. Have you enquired into the allegation that is constantly being made that Indians in

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England segregate themselves and are far more liable to come under evil influences in England than they are at home?—I have had no opportunity.

34063. Have you heard that within the last five or six, not more than ten at the outside, years, a great change for the worse has taken place in our Universities so far as the Indian students are concerned?—I have heard something about it.

34064. If we were to find, when we go home this coming summer, that those changes have actually taken place, and that the Indian student instead of being made welcome is not made welcome, to put it very mildly, would you still consider that that kind of experience in England inculcated Western habits of thought and Western sympathies in his mind?—I am afraid I know too little about it to be able to say.

34065. But still you have expressed very definitely the opinion that in order that the Indian may be taught Western ways he ought to go to England for four years?—I do not see how else he may learn.

34066. And these things are very germane to that opinion, are they not?—Yes, distinctly.

34067. You lay down, I am not quite sure with what definiteness, in the answer you gave to the Chairman's question, two conditions that ought to be fulfilled by the Englishman who aspires to become a member of the Indian Civil Service. First of all you consider it is desirable that he should attend a Public School, and secondly, that he should be polished at the University?—No, I did not lay down anything about the polish at the University.

34068. That is true regarding Indians?—You are talking about the probationary period after passing?

34069. I am taking both, first of all the training before he enters the open competition and then after he has become a possible member of the Indian Civil Service by being successful at the competition. Those are the two blocks of training, the one characterised by the Public School, and the second characterised by the University?—Yes; but I have said that on the whole the probationary period I would prefer out here.

34070. One year in England?—If it is in England I prefer two, as you will see from my answer to question (43).

34071. You say there: "I should prefer two years to one, to be spent at a residential University, and in a residential College." So that you do want the University?—If my recommendations are not accepted then we must have a probationary period.

34072. In that case you prefer two years of a probationary period to be spent at a residential University and in a residential College, by which I understand you mean in a residential college of that University?—Yes.

34073. So that I am right: public school, supplemented by University?—If the present system is to be maintained.

34074. I came across a very interesting expression of opinion in an educational Review and I will ask you if you agree with it. It is with reference to that kind of training which is given for the Indian Civil Service. It says that the

Civil Service Commissioners and the University Syndicates and other similar bodies recommend these things, the Public School and the University, because they consist "of men who have themselves gone through a similar grind and who have been quite safe from the touch of the fire of modernism in their studies; they are all men from the older Universities and stand up for mediæval ideas." You do not share that view?—Is your question whether I stand up for mediæval ideas?

34075. No. I understand that you yourself have been at a Public School and University, and probably you, like myself, prefer the kind of education we have gone through, I not being a public school boy and not having been to a University?—That is probably true.

34076. So far as I have been able to study the evidence and examine the witnesses up to now, my impression is that those distinctions count really for very little in the production of qualities wanted by the Indian Civil Service. Now, my point is this. There is a statement made by educationalists that as a matter of fact the position a man takes in choosing or rejecting two different modes of training depends altogether upon what he himself has gone through?—Possibly.

34077. Do not imagine for a moment that I meant to say you stood up for mediæval ideas. That was simply in the extract and I should like you to be quite happy about that. Now, how would you define a public school?—Of course what I mean by a public school is essentially to start with a boarding school.

34078. A place like Gordon College, Aberdeen, would not be a public school under your definition?—No, it is a day school.

34079. The Edinburgh High School would not be a public school under your definition?—No.

34080. Under your definition none of the great Academies of Scotland would be a public school?—I do not know about their being public schools. What I meant, when I was speaking of a public school, was that it is not a public school if it is not a boarding school.

34081. If the preference which you indicate in the answers to your question was carried out by the Secretary of State and the Civil Service Commissioners and the Board that you suggest, the training of those schools would be ruled out as a qualification?—That is not at all necessary.

34082. But in accordance with your answers. You say, for instance, in answer to question (1), that up to now we have been able to discard the shortcomings of competitive examinations, the very obvious shortcomings you say, that it does not test certain things, and then you go on to say that this has been more or less the case because we have drawn our recruits mainly from the big English public schools, and in your opinion no better material can be obtained. If you held these views, and if you were placed in a responsible position as a member of this Commission, in drawing up your report would you not insist on those views being embodied in the report as a recommendation to the Secretary of State, if you hold them in the definite way in which you have expressed them there?—I should

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certainly say that that course of education is the best qualified that I can think of to give you the kind of candidate you want.

34083. I will not press you further on that. As a matter of fact, you say that we have drawn our recruits mainly from the big English public schools: did you go through a Civil List before you made that statement?—No.

34084. Would you be surprised to hear that some of us who came across that statement did try to get the educational source from which the members of the Indian Civil Service have been mainly drawn, and found that they did not mainly come from English public schools?—Yes, I should.

34085. You would be surprised?—Yes.

34086. But you did not take the trouble to sit down and consider whether your impression was accurate or inaccurate and tick off the men in the Civil List?—No, I did not do that.

34087. You are in favour of a reduction of the age for the open competitive examination?—Yes.

34088. But you say that the fact of board schools becoming more efficient than they have been would be to turn out a class, which, on the whole, is not quite so desirable as the class from which you have come, into the Indian Civil Service. Would not the fact of reducing the age be to give the boy who has been educated in a board school, and passed on through the new system of higher education to the secondary schools which are now being established all over England, a better chance than he now has for the Indian Civil Service examination?—I cannot say.

34089. Do you know the recent developments of English education in that direction owing to the County Councils and the Town Councils having become the education authorities?—No.

34090. You do not know that the old board school has now become an organic part of a much finer education system than was in existence when you were in England?—I realise there has been an enormous advance in education.

34091. And an advance in the direction of establishing secondary schools which from the point of view of education are better than the old public schools?—I had not realised that.

34092. Then you say that it is very valuable there should be a caste, that we should remember the Indians like caste government. I think that is the effect of your sentence: "I will mention here that to an Indian caste is of supreme importance, and while we in England do not define caste in the same sense as in India, we understand what it means." I understand that you mean caste does exist in England in the shape of class?—Yes.

34093. And you think it is a good thing there should be a certain amount of class in the selection of the men who come out here to join the Indian Civil Service?—I think it is a good thing.

34094. That men like myself, for instance, who come from no class, should be absolutely barred from service in the Indian Civil Service?—Is that a question I am expected to answer?

34095. Let me put it this way: that a man whose father was a working-man and who could not by any stretch of imagination claim to have a class connection, should find care was taken to make it impossible for him to join the Indian Civil Service?—Not at all.

34096. So that you really do not mean there should be class distinctions in the selection of men for the Indian Civil Service?—I merely say that I think a certain amount of class is desirable, but it is not what I would select a man on.

34097. I thought you meant to do so from your answer?—No.

34098. (Mr. Sly.) I understand the object of your first proposal in regard to the introduction of some system of nomination in the Indian Civil Service is to exclude a certain number of men who gain entrance at the present time, on the ground that they are what is ordinarily termed "undesirables"?—Yes.

34099. Can you tell us from your own experience whether that percentage is very small or large?—At present I should say it is very small.

34100. Do you think that any system of selection, such as you have suggested, would result in the undoubted exclusion of that very small percentage of "undesirables"?—I do not see why it should not.

34101. Do you not think it would also possibly have excluded a certain number of members from the Service who have proved themselves in practice to be fully qualified for the Indian Civil Service in India?—I should doubt it.

34102. Do you not think the object you desire to achieve could be equally well, if not better, met by a system of compulsory retirement of the unfit after they have been tested by practical experience in India?—Yes, but it would be very much harder luck on the men.

34103. It might be very much harder luck on the men, but surely it would be a very much more accurate test of the suitability of the men?—It would be undoubtedly a more accurate test but it would tell very much harder on the men to whom it was applied.

34104. But if a man enters the Service knowing this risk, and if also there is a scheme introduced for the grant of certain compassionate pensions or gratuities to officers who are compulsorily retired for inefficiency, do you not think that would alleviate the conditions?—It might, but I do not think it would tend to the popularity of the Service.

34105. Would the popularity of the Service be affected if there were scrupulously fair methods of arriving at a decision as to whether an officer was efficient or inefficient,—if, for instance, it was laid down as a rule that before an officer is compulsorily retired for inefficiency an enquiry should be held, say, by three senior members of his Service?—I think one wants no guarantee of fair treatment, but the fact that that system is contemplated would in itself make for uncertainty.

34106. Now let us come to the other main position in your evidence. I understand that you are in favour of a further admission of Indians to the Service and are prepared to see them admitted

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in the Central Provinces up to a maximum of 20 per cent., or one-fifth?—Yes.

34107. That you desire, if possible, that those Indians shall gain admission to the Service through open competition in England?—Yes.

34108. And that in order to encourage that method of recruitment you would be prepared to recommend a system of scholarships for Indian boys to go home and prepare for that examination?—Yes.

34109. Failing the admission of Indians to the extent you consider reasonable by the method of open competition in England, would you be prepared to have a supplementary method of admission for Indians in India?—Yes.

34110. What method would you recommend as being most suitable for the admission of Indians in India?—The present system of listed posts.

34111. An extension of the present system of listed posts?—Yes.

34112. You consider that if Indians have to be recruited in India it would be preferable to take them after experience of their work in the Provincial Civil Service rather than by any method of direct recruitment in India?—Not necessarily, by experience in the Provincial Civil Service, as long as it is not by competitive examination merely.

34113. But if it were not admission from the Provincial Civil Service to listed posts you would recommend a system of direct recruitment by nomination?—Yes, direct nominations.

34114. There is a small point I do not understand in your evidence. In answer to question (76) you have referred to the fact that junior officers have been deprived of all hope of eight posts, and you have mentioned four of them, three Berar listed posts and one post reduced for officers serving under the Government of India. Surely so far as the one post has been reduced under the Government of India that leaves the Commission in a better position than it was before?—It takes away a post.

34115. Does it take away a post? The Government of India appointments are recruited by selection from the Provinces; there is no guarantee that they will take four or five from the Central Provinces, and in so far as recruitment is made on a basis of four instead of a basis of five it is a direct benefit to the Service?—The superior posts include the Government of India post.

34116. Only as a basis of recruitment, and if you reduce the Government of India posts you are reducing the number of superior posts against which you are recruiting. Therefore you reduce the number of officers recruited?—You ought to reduce the number of officers below the superior posts.

34117. But you do not reduce the chance of employment under the Government of India, so that you are better off in the Central Provinces by that reduction of one?—I do not see that you are better off with the officers who have been recruited against it, the junior officers. I admit it probably does not make any difference as to the actual number of posts held.

34118. It makes no difference to the number of officers employed by the Government of India?—No.

34119. And on the other hand it reduces the number of officers recruited in the Central Provinces?—They have been recruited against it.

34120. And they have still got it whether there are four or five?—They may or may not have.

34121. There has been no actual reduction in the number of Government of India posts?—No, but there has been a reduction in the number of superior posts against which the recruitment has been affected.

34122. With regard to the three Berar listed posts, we have already obtained certain views through Mr. Hullah, but what are the other four posts you refer to?—There are not another four. The strength of the Commission is practically double the superior posts, 194·5 per cent. If you reduce four superior posts you strengthen the Commission by eight. You have eight officers whom you have recruited against no posts.

34123. If your statement is correct in regard to the reduction of the four inferior posts, it necessarily involves in future a reduction of practically four inferior posts, does it not?—Eight.

34124. Four inferior, making a total of eight?—It is practically double the superior posts. 194·5 is the actual figure.

34125. (Mr. Madge.) So far as you have been able to judge, you fear that Indian officials, whatever their other good qualities may be, have not been efficient District Officers, or Deputy Commissioners as you call them?—All I have said is that so far as my experience has gone, and I have only based my experience on my own knowledge of the Provincial Service, I have not myself been so fortunate as to work with any of that Service whom I could have recommended for the post of a Deputy Commissioner.

34126. Nevertheless, you say in answer to question (7): "The way in which all members of the Provincial Service with whom I have had the pleasure of serving have carried out the duties entrusted to them, the loyal support they have invariably accorded to myself, command, and have always obtained, my warm admiration." It would be an unfair inference from anything you have said that you desire to exclude Indians from any office for which they may prove their competence?—I think it would.

34127. You are anxious to preserve the British tone in the administration?—Yes.

34128. Would it not affect some of the opinions you have formed if you put it in this way, that as compared, say, with Frenchmen, Germans, Dutchmen, and other European races, the British seem to possess certain practical qualities that make them better Colonists and better managers of Settlements and Colonies than other races, even Europeans. Do you hold that view?—I have not particularly thought about it.

34129. I invite your attention to it from this point of view. It is not a question of one race being superior or inferior to another, but it is with reference to the special character of the work to be done, in which one race may manage to secure

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better results than another. Judging from the history of French and other Colonies they do not appear to have succeeded as well as British Colonies, and for that reason I ask you whether you do or do not think that as regards the management of Settlements and Dependencies Englishmen generally seem to succeed better than other races?—Yes, so far as I can judge. Without further consideration I should say, yes.

34130. Do you think it is possible for any one race to inherit the practical qualities of another without anything of their heredity or environment?—No; I should be inclined to doubt it.

34131. 'Would you be in favour of limiting recruitment for the Indian Civil Service to the Provincial Civil Service, on the ground that that Service affords means of judging the character and efficiency of the officers in it? Would you select that as a better way than mere competitive examination or any other way of recruitment? In the Provincial Civil Service you have the test of actual work as compared with the leap in the dark which you take with the competitive examination?—That is so.

34132. You mention that Indian gentlemen have come to you for advice and have admitted that they have no control over their sons. As far as you know, do they attribute that to the system of education that has alienated them from their own moral sanctions?—I think they attribute it to both home and school education. They themselves, in three or four cases I can remember, have blamed themselves for their home treatment of their sons, and have further gone on to say that the school treatment was not effective.

34133. I think you said you were not an educational expert, but judging by the effects of education of Indian Universities do you or do you not think that it may be greatly improved by the education being more practical and directed to subjects that would make men choose other careers than that of public employment?—I think it is quite possible, but I do not feel at all competent to give an opinion.

34134. Your attention has been called to the weight that ought to be attached, on political grounds, to the claims of the educated classes. Have you considered the weight that ought to be attached, on political grounds, to the interests of the great voiceless masses who are represented nowhere? I do not want to bring out any hostility between the two, but to compare them as one fairly may. On the one hand, we have the millions of uneducated, voiceless masses, whose interests the Government are bound to consider, and, on the other, we have a comparatively small class of educated men, claiming, and rightly claiming, advancement in their own country. Do the interests of these great masses and the educated classes all run in the same direction?—No, I do not think they do altogether.

34135. Is it conceivable or not that a responsible Government may attach quite as much importance, if not more importance, to the claims of millions of people than to those of the small class, no matter how important they may be?—Certainly. It must, of course consider both claims.

34136. Do you think that taking away a young Indian from his home at an early age and sending him to London involves any kind of risk with regard to his character and conduct?—I do not think it need involve any risk at school. The difficulty probably will be with regard to arrangements during the holidays.

34137. Have you heard what Indians have told us, that in the majority of cases—I think one witness said in the actual majority of cases—the results of sending boys home to school at an early age proved disastrous?—I suppose every system must make mistakes.

34138. It is not a mistake but the risk to which I wish to call your attention. When you spoke of the desirability of a certain class interest in the Service, do you mean that the advantages of the classes at home give them better opportunities of developing character, or at least have done so in times past?—No. All I meant was that so far as my experience goes the Indian appreciates it.

34139. But would you exclude any man of any class or caste, at home or anywhere else, from any appointment for which his character and education fits him?—No, I would not.

34140. You say at the end of your answer to question (10) that it will be extremely difficult for an Indian of one class or community to gain and successfully exercise such influence over Indians of other classes or communities, and this necessarily imposes a very definite limitation on what may be his own intrinsic efficiency and capacity. Do you think that the British official, as possessing a certain detachment from local influences, has an enormous advantage in this country?—I think he has.

34141. Have you come across domiciled Europeans or Anglo-Indians in the public Service or any other Services who have done comparatively well?—In the Provincial Civil Service.

34142. They have done well there?—Yes, quite well.

34143. As well as others?—Quite.

34144. (*Mr. Standen.*) Can you tell me whether the reduction of the number of posts in the Government of India against which the Central Provinces Commission is recruited was made in consequence of any actual reduction of posts, or was it merely a *pro forma* reduction, or due to distribution of posts in a different way between Provinces?—I am afraid I could not tell you that.

34145. Supposing there was an actual reduction then there are fewer posts open to the Commission than there were formerly, but if there was no actual reduction the Commission suffers no loss. Supposing the number of posts in the Government of India is now just the same as it was?—Actually held or nominally.

34146. If the actual number of posts available in the Government of India is now the same as it was before the posts were reduced from five to four, then the Commission here is in a better position than it was before it was reduced?—Yes, after the recruitment has been altered.

34147. Even before it is altered, if the number of posts available is the same?—It cannot be in a better position.

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34148. In the same position?—Provided it is a post actually held.

34149. If there has been a reduction in the number of posts we are in a worse position than we were?—Yes.

34150. (Chairman.) Let me clear up this matter. Formerly you recruited against five posts?—Yes.

34151. And the Government of India reduced this to four?—Yes.

34152. Were five Government of India posts occupied during those years by officers from this Province?—That I could not tell you: it is a question of fact which I do not know.

34153. I take it your point of complaint is that there has been a reduction from five to four within the last year or two?—Yes, last year.

34154. And with that of course has come a corresponding reduction in your cadre?—Yes.

34155. (Mr. Mahdi Hasan.) Have you ever held such a post as to enable you to judge of the work of Deputy Commissioners?—No, I have not.

34156. Have you ever held a post that would enable you to know the work of an Indian Provincial Service Deputy Commissioner?—No. Nobody but a Commissioner could know that.

34157. Do you know that a Statutory Civilian who is treated as a member of the Provincial Civil Service for the purpose of these listed posts has been a Commissioner here for a considerable period of time, and that Mr. Rustomji, another non-civilian member of the Commission, has been Commissioner of Berar for quite a long time and is now Commissioner of Excise and Inspector-General of Registration?—Yes.

34158. (Mr. Thakur.) With regard to your answer to question (7), in which you say that the Provincial Civil Service men do their work well and earn your warm admiration, may I know if that means that they discharge their duties extremely well?—Yes, certainly.

34159. But you would not recommend them for a Deputy Commissionership? Do you not base such a recommendation on the way in which they have discharged all their duties?—Yes, partly.

34160. If they had discharged their duties well would they not be fit for a Deputy Commissionership?—It does not necessarily follow.

34161. On what would you base your recommendation of members of the Provincial Civil Service for the posts of Deputy Commissioner?—I am in no position to recommend. It is simply a matter of the qualification. The performance of the duties of an Assistant Commissioner and the performance of the duties of a Deputy Commissioner efficiently are two different things.

34162. If they are not to be selected by competitive examination, and if their discharging the duties entrusted to them as Provincial Service officers in a way which earns your warm admiration, and leads you to consider their work extremely satisfactory, does not qualify them for the post of a Deputy Commissioner, I should like to know what would?—Their capacity for being over Assistant Commissioners instead of being mere Assistant Commissioners themselves.

34163. How can that capacity be judged unless they are put in that position?—I think it can be very generally gauged.

34164. Have you come across an instance in which a Provincial Civil Service man placed in these higher posts has proved a failure?—It would not be for me to say so in any case. It is the Commissioner's business to consider that.

34165. In the same answer you base your opinion that the examination in London is not a serious obstacle to Indians on the fact that several Indians go to England to enter the legal and medical professions, do you not?—Certainly.

34166. I suppose for the Bar examination there is no age-limit?—I do not know.

34167. And also there is no competition for the Bar examination; anybody if he passes the examination is a member of the Bar?—Yes, it is a qualifying examination.

34168. And if he fails and is persevering there is no limit to his appearing for the examination until he succeeds?—I suppose so.

34169. In the Medical Service examination the age-limit is much higher than that for the Indian Civil Service—twenty-eight?—That I do not know.

34170. Do you know that the conditions of competition there are not so hard as in the Indian Civil Service?—No.

34171. Is there any analogy between the two cases of those who go in for the Indian Civil Service and those who go in for the Medical and Bar examinations?—The mere going cannot be such a very serious obstacle, that is all.

34172. That is true, but they go with an object. If the object is not to be attained in one case, and there is no difficulty in attaining it in the other, people would go for that which they could attain. Is it not the case that if an Indian goes and fails twice for the Indian Civil Service examination he has no more chance and must come back?—He would not have more than two chances for the Indian Civil Service examination.

34173. For the Bar and Medical examinations if he does not pass at the first effort he can appear until he succeeds?—I think so.

34174. If he fails in the medical competition he can still come out and practise in this country if he is competent?—Yes.

34175. Can he do the same thing if he fails in the Indian Civil Service examination?—Why should he not come back to the Indian Bar?

34176. That will take him another three years if he has failed for the Civil Service?—The great obstacle I always understood was the expense.

34177. But is it not likely that people will incur expense if they know some useful purpose will be served, while here, there is the risk of the whole thing being lost?—They are trying for a very much more valuable Service.

34178. If they get through, but otherwise not?—It is worth the extra risk I suppose.

(Adjourned till Monday at 10-30 A.M.)

(The witness withdrew.)

17th March 1913.]

MR. H. J. STANTON.

At Nagpur.

Monday, 17th March 1913.

THIRTY-THIRD DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
 SIR MURRAY HAMMOND, K.C.S.I., C.I.E.
 SIR THEODORE MORISON, K.C.I.E.
 MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

WALTER CULLEY MADGE, Esq., C.I.E.
 FRANK GEORGE SLY, Esq., C.S.I.
 HERBERT ALBERT LAURENS FISHER, Esq.
 JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.O.S.,
 Officiating Commissioner, Berar.

RAO BAHADUR KASINATH KESHAB THAKUR,
 I.S.O., District and Sessions Judge, West
 Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra Assistant
 Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

HENRY JOHN STANTON, Esq., C.I.E., Barrister-at-Law, Additional Judicial Commissioner.

Written answers relating to the Indian Civil Service.

34179 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—This is a difficult question to answer, because there is no real standard available by which the results of the present system can be measured, and ideals are not sufficiently fixed to be reliable. Destructive criticism is easy but useless; constructive criticism must be largely conjectural. It cannot be said that any other system would have proved more satisfactory under the same circumstances. Having regard to the general progress of India during the last 50 years, even after allowance is made for the effects of other forces which have been at work during that period in bringing about that advancement, I should say that the achievements of the Indian Civil Service have been brilliant. If that estimate is correct, it seems safe to conclude that the principle of recruitment for that Service cannot have been wrong, and that no case for its discontinuance is apparent. Nevertheless, I am of opinion that there is room for improvement.

34180 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—In my opinion the main essentials of success in the administrative work which forms the chief duty of the Indian Civil Service are (i) character, (ii) physique, (iii) education, and (iv) experience. The last of these must necessarily come after recruitment; but the other three should be the aim of the recruiting agency for the said service. The present system is defective in that it leaves the first, and most important, of these essentials to chance, and very imperfectly secures the second. It is in the main responsible only for educational

efficiency, with the result that many clever men come out in the Indian Civil Service, who fail as administrators for want of the necessary character or physique, or both. These individual failures are, not unnaturally, debited against the Service as a whole in the account books of public opinion.

34181 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—It is not equally suitable, and, in my opinion, it would be an error in principle to try and make it so. While India remains a Dependency of England she must be governed from England.

34182 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—I do not think any differentiation is desirable in the matter of recruitment to the Indian Civil Service, while it remains the model of British administration in this country—except as stated in answer to question (19).

34183 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think it would now be preferable to keep recruitment for the Indian Civil Service in a water-tight compartment of its own, chiefly because, under present-day circumstances, the members of that Service require qualifications, preparation, and tests which are more or less special and peculiar to the conditions of their work in this country.

34184 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the

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following principles:—(a) Selection by headmasters of schools approved or otherwise; (b) selection by authorities in Universities approved or otherwise; (c) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; and (e) any other method?—I do not think that selection or nomination can be relied on, except as preliminaries to competitive examination. Each of those methods is liable to be diverted and upset by numerous influences and conflicting interests, and is always open to accusations, even though unjust, of nepotism. Both methods might, however, be usefully employed in the admission of candidates for the competitive examination by which recruits for the Service are eventually to be enrolled.

34185 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in England and India of the open competitive kind, for admission to a single cadre, would, in my humble opinion, sound the death-knell of efficient administration in this country. The number of marks gained at a competitive examination is not, by itself, a sure guide even to the educational qualifications of an examinee, though it may be the best available; it is absolutely no guarantee of his fitness to fill a post in the Indian Civil Service. Having regard to the comparative areas of the English and Indian recruiting fields, the result of such examinations would be to flood the Service with Indians, and that would entirely destroy its British character. Such consequences could only be prevented by introducing restrictions which would make the scheme farcical and abortive. Simultaneous examinations of the kind referred to in the question under reply are beyond the range of practical politics. The share in the administration to which Indians are reasonably entitled can be much better obtained otherwise. Personally I am against any mixture of European and Indian in the cadre of the Indian Civil Service.

34186 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not. The examination should take place, as now, in London, and nowhere else.

34187 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am entirely against any such method of recruitment for the Indian Civil Service, using that term as referring to the leading unit in the British administration of India.

34188 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method?

If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system all classes and communities should be represented? If so, how would you give effect to this principle?—I adhere to the principle advocated in my answer to question (8). All members of this particular unit of the Service should come through the same recruiting depot. Any other method will result in a miscellaneous collection of officers, among whom unity, *esprit de corps*, and true mutuality will be impossible.

34189 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—In replying to this question I will refer to all posts below that of a District Judge as "subordinate," and to District Judgeships and higher posts as "superior." In my opinion, except a few posts of Subordinate Judges reserved for members of the Indian Civil Service and of the Imperial Service propounded in answer (42), the whole subordinate judiciary, up to and including Additional District Judges, should ordinarily be filled by members of the Provincial Civil Service. The reserved Sub-Judgeships, the number of which in each province should be fixed with reference to the District Judgeships—to be allotted to the Indian Civil and Imperial Services in that province—should be filled by members of these Services who have been specially prepared for judicial work. A certain proportion—the measure of which must depend on the circumstances of each province—of the superior posts would be occupied by members of the Indian Civil Service who had qualified for them by Service as Sub-Judges. Another proportion should be reserved for members of the Imperial Service recommended in my answers to questions (28) and (42), who had similarly qualified. Some of the posts so reserved for the two leading Services should be listed for deserving members of the Provincial Services in the way described in my reply to question (24). The remainder of the superior posts might with advantage be recruited from the Bar: provided that every member of the Bar seeking employment as a District Judge should enrol himself as a candidate therefor in the High Court of the Province in which he ordinarily practises, and, by the fact of such enrolment, should become subject to special regulations for his supervision and control by that Court; and he should not be appointed to a judicial office unless and until he has been recommended by the High Court. It should be a standing rule that no lawyer who has adopted a political career, or taken an active part in politics, shall be eligible for elevation to the Bench.

34190 (12). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only," irrespective of whether such persons are of unmingled Indian descent, or

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of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am not. The term "Native" has been found objectionable by Indians; it is still more so to the domiciled European and Eurasian. I think that the terms "Indian," "Eurasian," and "Anglo-Indian" might be used to denote the three classes of persons now covered by the legislative definition "Native of India." Definitions should be framed with regard to accuracy rather than mere sentiment.

34191 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—From 18 to 20 years, followed by 3 years of probation, whereof Europeans should spend 1 in England and 2 in India; and Anglo-Indians, Eurasians, and Indians (if any) should spend 2 in England and 1 in India.

34192 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I think they fully maintain the average of administrative efficiency. Such unfavourable comparison of them with their predecessors as has been made is, I think, unjust. I suggest the following as some of the reasons to which this erroneous disparagement is due:—

(*) The circumstance that men acquire distinction more easily in an unsettled country, such as the Indian civilian of the past had to deal with, than in the more settled conditions of the present-day India. The civilian of 50 years ago administered with plenary powers under conditions of unavoidable decentralisation from above, to a subdued mass of mostly uneducated Indians who scarcely dared to criticise him, and who for the most part sought to win his favour by fulsome flattery and unconditional submission. The civilian of to-day works under conditions of centralisation which leave him little scope for initiative and lessen his sense of responsibility, while his smallest enterprises are subject to criticism, invariably adverse, and frequently perverse and malicious, by an ever-increasing body of highly educated Indians and a hostile vernacular press. This constitutes a serious obstacle between him and the still uneducated masses whose destinies are entrusted to him. These widely different conditions of work mislead our judgment in comparing the two sets of workers. Most landscapes which are beautiful under the softening and deceptive glamour of night, fail to secure the same amount of approval under the glare of a noon-day sun; but no wise man would throw the blame for that difference upon the landscape itself. (ii) It is a common error to disparage the present for the benefit of the past. Sentiment surrounds bygone administrators with a halo of heroism, and this often misleads judgment as to their real value. (iii) False opinions regarding the present-day men and their work are constantly being engendered by the

voices and pens of ex-civilians who are unable to realize the possibility of the Service getting on without them. (iv) Owing to the spread of education, the members of the Service are now recruited from a more extended range of class strata than was the case 50 years ago, with the result that a certain number of men get in who do not possess the hereditary or social qualifications demanded by the Service as a whole; and, owing to the common error of generalising from particular cases, the whole Service is disparaged because of the unsuitability of a few of its members. In my opinion there is no justification for the view that the European and Indian recruits of the present day, taken as a whole, are less suitable for the Indian Civil Service than their European and Indian predecessors respectively, so far at least as administrative efficiency is concerned.

34193 (18). What is the most suitable age at which junior civilians should arrive in India?—About 21 years.

34194 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—I would extend the age-limit by two years in the cases of Anglo-Indians and Eurasians to allow of a longer training in England before they appear at the competitive examination. I am not in favour of opening this Service to Indians at all. They are placed at a great disadvantage by its conditions, and it is impossible for them to acquire all the qualifications which are necessary for it, in particular its prime essential of British character.

34195 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I think the 1855 principle has served its time. I would now amend the syllabus with special reference to the requirements of service in India.

34196 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons.—Absolutely none. All recruits should be melted down in the same pot, and cast in one mould, Indians being entirely excluded.

34197 (23). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Viet., c.

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54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]-I think it is indispensable. The proportion should be regulated according to the circumstances of each Province, but should nowhere be less than 80 per cent. on the executive and less than 50 per cent. on the judicial side, the administration of criminal justice being included in the former category.

34198 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—If any hard-and-fast rule is necessary, I would apportion such posts thus:—85 per cent. to the Indian Civil Service, whereof a certain number should be listed for the benefit of Anglo-Indian and Eurasian members of the Provincial Service. 15 per cent. to the Imperial Service proposed in my answer to question (42), out of which a certain number should be listed for Indian members of the Provincial Service. Deductions for appointments from the Bar and other sources would be made from one or other of these allotments according to the class to which each person so appointed happened to belong. I would however prefer to leave the question of all details in such matters to be regulated by the Local Government of each Province, in accordance with the conditions of that Province.

34199 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I do not, so far as recruitment by open competitive examination in England is concerned. Indians by birth, if they are to be admitted at all to this particular Cadre, should be required to live continuously in England for at least 6 years before they appear at the competitive examination, in order that they may, as far as is practicable, acquire English characters by such training as is depicted in my answer to question (42).

34200 (28). Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am in favour of creating a separate Cadre of Imperial Service, confined to Indians, and recruited in India. For further details please see my reply to question (42). The principles of recruitment to this Service are outside the subject now in hand, and therefore I do not go into them beyond stating that the candidates should not be less qualified than those who now appear for the Indian Civil Service;

that they should be imbued with British principles; and should be drawn from the best classes in India.

34201 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter?—Military civilians as a class, and particular individuals among uncovenanted civilians, have done good work in the past. In British India generally the military civilian is no longer necessary. For the administration of unsettled tracts, wherever he has been given a free hand, he has almost invariably proved himself to be one of the best instruments in the hands of the Government of India: and even at the present day, where a civilised district has become unsettled by sedition and anarchy, I believe that a military District Magistrate, invested with plenary powers of final disposal, would be the most successful in effecting its redemption: but such chances do not justify a revival of what is now obsolete as a general system of administration. Nor do I think it is now desirable to have any continuance of what is known as the Uncovenanted Civil Service.

34202 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—I do not think that present conditions are generally suitable for the employment of military officers as civilians. They could only work with crippled efficiency under the present centralization of authority, the transfer of power and discretion from the camp table of the district officer of the past to the office tables of the provincial secretariat of the present.

34203 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The first essential is the preservation of a British character in the administration. That involves a principle as to which there can be no compromise. It is, therefore, indispensable that a Service which is really British should lead the way and stand as a model for all other Services in India. It should not be a guild of autocrats or a congeries of snobs; but just a corps of educated English gentlemen, in the full and true sense of that term, as understood among Englishmen of the best classes. For successful administration, according to British ideals, you want character, education, physique, and experience; and in the leading Service which is to give the required nature and tone to the whole of the Indian administration, all but the last of the above qualifications must be truly British. Therefore every candidate for that Service must have the environment, example, and early training of a home, the healthy influences and shaping of a public school, and the final polish of a recognised University, in the United Kingdom. The defect in the present system is

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that the Service is thrown open to every candidate who is able to gain enough marks in a competitive examination and to pass a very mild medical enquiry into his physique. I think that amendment is called for in the direction of narrowing this entrance door, so as to shut out from the examination-room men who are in any way, morally, physically, socially, or racially, unlikely to prove suitable. The conditions stated above cannot be attained by Indians. It involves a cruel hardship upon them to require them to make themselves eligible for high office by entering the Indian Civil Service under present rules. Better men can be recruited and more effectively trained in India for such proportion of the superior posts as Indians can reasonably claim to fill. It must be understood that in recommending the exclusion of Indians from the Indian Civil Service I have written only with reference to recruitment for the cadre of that particular Service. My remarks must not be taken to relate to recruitment for all the superior posts which are ordinarily filled by members of that Service at the present time. The day has gone by when Indians can be shut down to inferior posts. But Indians, for such of the superior posts as can be given to them under the political circumstances of India, can, and should, be members of a distinct Service, having a Cadre of its own, and should not be grafted, as now, on to an essentially European body in which they have no real place or part, and in which they necessarily and undeservedly occupy false positions. I would establish an Indian Imperial Service for Indians who are to hold a proportion of the superior posts in the administration of British India—a Service which, as regards status, pay, and prospects shall stand on a reasonable equality with the Indian Civil Service, and the members whereof can be trusted to adopt, and be made competent to follow, as nearly as possible, in all matters of principle and practice, the pattern carved out for them by their European fellow-administrators. But, except as above, I would keep this Indian Imperial Service as distinct from the Indian Civil Service, as the Indian Army is distinct from its prototype the British Army serving in India. I am unable to understand how an indiscriminate recruitment of Europeans and Indians for the same Civil Cadre can be expected to produce better results than would be obtained by such a recruitment of a single regiment in the Army of India. With no cause of friction due to a conflict of interests and other causes common to service in the same Cadre, harmony between the two races would be advanced; and the two Services would work together with the same mutual regard and unity of purpose as has repeatedly been found to exist between British and Indian regiments on active service, provided the same care were taken in recruitment of the Indian as I have advocated for recruitment of the British branch of the superior service. Any hardship which the closing of the Indian Civil Service to Indians might cause to men who have already proceeded to England to prepare for it, can be obviated by allowing them to carry out their course, and placing in the Indian Cadre those who pass for the Indian Civil Service.

34204 (43). What is your experience of the results of the existing system under which

successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The one year's probation in England is insufficient. Men come out most inadequately trained for the performance of their responsible duties.

34205 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—One year for Europeans; two years for Anglo-Indians and Eurasians.

34206 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—All probationers should spend their period of probation, so far as it is spent in England, at an approved University.

34207 (46). If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—Any University where the probationer can be given theoretical instruction, physical training, and can, from precept and example, acquire the social qualifications—if he has not already got them—which are demanded by the Indian Civil Service.

34208 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Each probationer should certainly receive an adequate allowance.

34209 (48). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—If the conditions stated in my answer to question (46) cannot be obtained at any of the Universities, I would recommend the establishment of a special institution for the purpose.

34210 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes, the principle is unquestionably sound, and I accept it. This answer applies to all probationers regardless of their antecedents.

34211 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of the system recommended by you?—I would retain the five compulsory subjects of the 1912 course, and require candidates to choose between an executive and a judicial course of training. Then I would add as compulsory the subject required for each of these two branches of the administration. For the executive candidates

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I would prescribe the Revenue and Tenancy law of every Province in India, Political Economy and Accounts, the Indian Penal and Criminal Procedure Codes, the Evidence Act, and so much of the Civil Procedure Code as is used in the proceedings of Revenue Officers. For the judicial candidates I would prescribe the Indian Penal and both Procedure Codes, the Evidence Act, the Transfer of Property Act, the Contract Act, the Limitation Act, the Indian Succession Act, and Hindu and Muhammadan Law.

34212 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—I do not think that attendance at the English Law Courts and the reporting of cases tried there, are of any practical value to probationers in the Indian Civil Service. The remainder of this question has already been answered.

34213 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I would train them in both countries, the whole course covering a period of three years—one year for domiciled Europeans, and two years for non-domiciled candidates, in England; and the rest of the time in India.

34214 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England?—I am strongly in favour of it. I regard it as an urgent necessity.

34215 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think one year at an Imperial institution in a good climate, and the other year at an institution in the province where the probationer is to serve, would be the best arrangement for the European members. The year at the Imperial institution would be dispensed with in the case of those members who had served two years of their probation in England.

34216 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these

objections could be met by a suitable scheme of instruction in India?—Yes, every one of them.

34217 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India" whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have recommended no such scheme for the Indian Civil Service.

34218 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No: three years for each, the only differentiation being as regards the place of probation during the second year.

34219 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—This is essentially a matter for local treatment in each province with reference to the personal qualifications of each member concerned.

34220 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—It is of very small value. Such examinations should be passed during probation. Once appointments are taken up men should spend their time in applying, and not in acquiring, theoretical instruction.

34221 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes, I think so. This deterioration has followed naturally upon the great increase in the knowledge of English among Indians in general, and the subordinate officials in particular. It is a cause which cannot be checked. The whole administration becomes more English-speaking every year. The remedy lies in more direct communication between the civilian and the vernacular speaking classes. The matter is important, because the loss is not merely academic. Want of familiarity with the mother-tongue of a people stands in the way of acquiring that intimacy with their character and idiosyncrasies which is necessary for their proper government. It may safely be said that during the last 50 years the Indian's knowledge of the Englishman has advanced as much as the Englishman's knowledge of the Indian has receded.

34222 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—Vernacular languages should be a part of the training given during the 2 years' probation in India recommended in previous answers.

34223 (64). Please give your views as to what steps (if any) are necessary to improve the

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proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not think that executive officers need any more law than is now taught to them. For Judicial officers early and systematic training in law is the best course. Visits to Europe on study leave are costly to the State, pleasant to the visitors, and of no practical benefit to either.

34224 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—I have already outlined the judicial probationer's course of training.

34225 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—They should work as Sub-Judges for, at least, 5 years before becoming District Judges; and should not be entrusted with appellate powers unless and until they have been recommended by the High Court.

34226 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I do not.

34227 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—None, except in languages.

Written answers relating to the Provincial Civil Service.

34228 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no alterations to propose.

34229 (2). Please supply a copy of the rules for the recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—They will be found appended to the Central Provinces Civil List, to which I have already referred the Commission.

34230 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B, to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct.

34231 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most

satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—Nomination, succeeded by a competitive examination as a general rule: but the Local Government should have power to make appointments by selection.

34232 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—I would only reserve a reasonable proportion of the available posts for residents of the provinces. I think that a wider field of recruitment for the remainder will result in better men being secured.

34233 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—I think that the best available men should be allowed to compete, or be selected by the Local Government, regardless of caste and creed. It is hopeless to satisfy all parties in the matter of representation according to caste and creed in the service of Government; nor is any such representation necessary. The service is not to be run on Hindu or Muhammadan or Buddhist lines, but according to British notions; and therefore efficiency in giving effect to the principles governing the administration should be looked for as the main qualification in candidates for the Provincial Civil Service.

34234 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Men are appointed, and, though actively employed in carrying on the work of Government, remain on probation for an uncertain period, and are required to pass certain departmental examinations. In my opinion this is an unsatisfactory state of things, and coupled with low pay and slow promotion, results in the best men not being attracted to the service. There should be some course of training in a Provincial institution before any appointment is made; and a fixed period of probation in service thereafter.

34235 (10). Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—It is of very little use. Such examinations should be passed before a candidate is appointed.

34236 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No, I do not think so.

34237 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—I recommend no change.

34238 (16). To what extent is any system of selection for appointments to the higher grades enforced?—Is any change of practice required in

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this respect?—Selection for appointment to the higher is not, and should not, be enforced.

34239 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—There is a complete separation of executive from judicial on the civil side, excepting only as regards cases between landlords and tenants. No further separation is desirable.

34240 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—As already recommended, the higher posts should be ordinarily reserved for the Imperial Services, certain proportions, or a certain number in each province, being 'listed' for (a) Anglo-Indians and Eurasians, and (b) Indians, of the Provincial Services.

34241 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am satisfied.

34242 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am satisfied.

34243 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886—87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think the principle is suitable, but I do not think it has been fully maintained. The Provincial Civil Service is under-paid, and officers with the desired qualifications are seldom secured.

34244 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I do not think so. Better pay is necessary.

34245 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale.

34246 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not. If an officer is good enough to hold a listed post, he should start on not less than three-fourths of the full pay thereof. If he rises to a higher rank or grade he should get four-fifths; and if he is good enough to reach the highest rank open to

him, he should get the full pay. It is not proper, for example, that such posts as that of a Commissioner of a Division, or Additional Judicial Commissioner, should be held on any but the full pay by any officer considered good enough to hold them temporarily or permanently.

34247 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I do not think there is any undue liberality in the furlough rules of the Provincial Civil Service. I would reduce the first qualifying period from 10 to 8 years, and allow a year for every 6 years of service after that.

34248 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—They should be raised if practicable.

34249 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes, I think so, except as regards furlough.

34250 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—They should be granted special pensions approximate to those of the Indian Civil Service.

34251 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I think they are satisfactory.

34252 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied. I think that a large number of inefficient men are recruited, though there has been some improvement in that respect during recent years. Certain educational qualifications are now ordinarily insisted on for admission to the Judicial Department. But on the Executive side men are still appointed either because they have rendered honest service in the ministerial ranks, or are the sons or other relations of retired or deceased Government servants who served the Administration well, or belong to respectable families, and the like. I do not say that these reasons are not praiseworthy, or that they can be wholly left out of account even now. But they no longer carry the force they did in the past. The Indian polity is greatly advanced and changed, and old customs have to be left behind when it is a case of the survival of the fittest. Some part of the Provincial Service appointments might still be retained in the patronage of the local Government; but for the rest efficiency should be the chief guide in recruitment. Selection, from as large a field as possible, followed by competitive examination, seems to promise the best results, and ought, I think, to be tried.

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MR. H. J. STANYON called and examined.

34253. (*Chairman.*) You are an Additional Judicial Commissioner of the Central Provinces and Berar?—I am an Additional Judicial Commissioner of the Central Provinces exercising jurisdiction over Berar.

34254. Can you tell me what has been your previous experience?—With regard to India, I was called to the Bar in 1881; I practised for 16 years at the Indian Bar, till 1897, and from that time up to the present I have been, first a Divisional Judge and then an Additional Judicial Commissioner in the Central Provinces. My practice at the Bar was partly in Agra and the rest of it in the Central Provinces.

34255. You are satisfied with the standard of the European recruits of to-day, and consider that in point of efficiency they compare well with their predecessors?—Yes, I think they compare well with their predecessors, but I think that there is room for reform, as I have stated, upon the lines suggested by me. They might be improved or an attempt might be made to improve them.

34256. In so far as recruitment goes, the point of your contention is contained, I take it, in your answer to question (42). You put forward as the first essential the preservation of the British character in the administration?—That is so.

34257. To secure this you propose to recruit only Europeans and Eurasians and Anglo-Indians to the Civil Service, and to compensate Indians by the creation of an Indian Imperial Service to work alongside the Indian Civil Service proper, and on terms of what you call reasonable equality?—Yes. The only word I would like to correct in your Lordship's representation of that is the word "compensate." The proposal I make I think would more than compensate: it would improve the position of the Indian. I think they undergo great disadvantages and suffer great hardship by having to come through the open door in London.

34258. Your proposal is that each race should work, as it were, in water-tight compartments?—So far as the cadre is concerned.

34259. Do you seriously propose to withdraw the present privilege which Indians enjoy of entering the Service through the open competitive examination in London?—Yes, certainly, if that other door is provided for them.

34260. Do you think, taking into consideration the present political situation in India, that your scheme would satisfy Indian aspirations, involving, as it does, the withdrawal of the privilege of entering by the London door?—Yes, I think it would if it were put on lines of what I call reasonable equality. That is to say, the same classes of appointments should be open to the Imperial Service man as are now open to the Indian Civilian and the European member of the Indian Civil Service: but I am not guided only by political considerations; there is a point at which political considerations must give way to what is best for the country. Political aspirations must be guided and controlled by the experts in whose hands lies the administration of the country.

34261. You would admit, I take it, that political considerations form an important aspect of the problem?—Certainly.

34262. You go on to urge, in your answer to question (10), that any other method will result in a miscellaneous collection of officers among whom unity, *esprit de corps* and true mutuality will be impossible: whilst in your answer to question (22) you say that all recruits should be melted down in the same pot and cast in one mould?—Indians being entirely excluded; that also is part of the answer to question (22).

34263. Question (22) is—"Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?" You reply—"Absolutely none. All recruits should be melted down and cast in one mould, Indians being entirely excluded."—That answer perhaps is not quite straight to the question, but it is an answer given in view of, and in connection with, what I propose to be the reform, and must be read in connection therewith. Perhaps I ought to explain to your Lordship that my answer to question (4) wants slight modification. I have said there: "I do not think any differentiation is desirable in the matter of recruitment to the Indian Civil Service whilst it remains the model of British administration in this country." I would like to add the words: "except as stated in answer to question (19)."

34264. That is where you suggest a higher age-limit for Anglo-Indians and Eurasians so as to anglicise them a little bit more before they come out?—Yes.

34265. What is your objection to the combination of Europeans and Indians in the Indian Civil Service?—Of course some of my reasons raise controversial matters which the Commission might not like to hear, and therefore I will confine myself to generalities. I think that opinion is formed largely from a sympathy that I have for Indians. I think that Indians who are made to imitate Englishmen and come through the open door in London occupy a doubly false position out here. They occupy a false position with their English colleagues and they occupy a still more false position with the orthodoxy that they have left behind in order to put on the style and garb of an alien description.

34266. Do you think that rigid uniformity is good for the administration? Is there not room, and is it not advisable, as far as possible, to have a diversity of types in a country like this?—You get all the diversity of type without any of the friction of cadre: you get the Indian administrator at his best: you get a much wider field of selection; you get a much better class of man: not the accidental man who happens to get through the examination in London, and who happens to survive the climate and moral atmosphere of London. You get a much larger class of men doing the same class of work, and you get the same diversity of administration, but if I may use a somewhat slang term they are "on their own bottom" as it were. They have a cadre of their own, a status of their own, and they have a model Service, and certain principles down

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which they can very well follow. Far from lowering the efficiency of the administration I believe that such an arrangement would promote it.

34267. The cadre of your Indian Imperial Service would amount to 15 per cent. of the whole cadre?—Yes.

34268. How do you propose to recruit that in India?—That is a matter to be dealt with by people who are far more expert than I can pretend to be, but I would have it more or less on the lines of recruitment at home, that is to say, a certain amount of qualifications required from an Indian before he enters the examination room and a competitive examination to follow.

34269. And this would be a competitive examination for candidates selected from all over India?—Yes.

34270. I should like you to explain a little further what you mean by reasonable equality of pay and status for your new cadre. Do you suggest the rising scale of three-fourths, four-fifths, and finally full pay, laid down by you in your answer to question (80)?—The only difference I should make would be such differences as were considered just for Englishmen who come out to a foreign country, foreign climate, and so forth, as compared with men who are indigenous to the country and work in the same climate. For instance, I would give the Indians no exchange compensation allowance, and things like that. They would be just such differences only as would be reasonable having regard to the fact that one set are working at home and the other set are coming out to a foreign country. I have not gone into any details on that point; it is merely a proposal supported by what seems to me to be a principle, and I have not worked out the details.

34271. The pay would be upon the same standard as that enjoyed by the officers in the Indian Civil Service?—Yes, very nearly, as nearly as possible.

34272. And you really think that the Indian drawn from his cadre and the European drawn from his, although they are doing the same work will work better and more harmoniously, from the fact that they are drawn from two cadres?—I think so.

34273. You favour recruitment from the Bar. Could you tell me to what extent you would press this and to what particular posts you would appoint lawyers?—With regard to extent, I think it is impossible to lay down any proportion which would at all times be either suitable to any particular Province or which it would be wise to lay down, because of the tremendous variation that there is between one time and another in the quality of the supply. With regard to posts, when I say recruitment from the Bar it is not the slightest use having a new fledged member of the Bar. I am not at all in favour, as my answers to the Provincial Civil Service questions go to show, of taking a one or two year Pleader and putting him in as a Judge. Recruitment from the Bar can only be to the higher posts, beginning with the District Judge, when you can get men of sufficient experience recommended by the High Courts under which they have practised for a specified number of years.

34274. And you think that men of that standing and calibre would be prepared to accept positions such as you indicate?—Not always, and that is why it is impossible to lay down any proportion.

34275. But you feel satisfied that there will be a sufficient number of qualified men available to accept such posts?—There will always be some men available; I would not commit myself to what you would call a sufficient number, because I cannot lay down any proportion. For instance, supposing there were twelve appointments for District Judges, and suppose eight were given up to the Indian Civil Service, the remaining four might then be set apart either for the Provincial Civil Service or the Bar. I certainly would not seek to tie down any local administration to this that two must be for the Provincial Civil Service and two must be for the Bar. My main object in making these proposals is based on this principle, that if you want efficiency you must not tie down recruitment into one corner. You must have as wide a field of recruitment as possible, because the Judicial Service wants special qualifications which are not to be found in particular Services, but only in individuals.

34276. That is why you lay special stress on recruitment from various sources, recruitment from the Indian Civil Service, recruitment from the Provincial Civil Service, and recruitment from the Bar?—Yes, that is so.

34277. You favour an arrangement by which young civilians would be selected for a Judicial career early?—Yes, fairly early.

34278. How many years after they had entered the Service would you say?—I should say certainly within two years.

34279. We have had a good deal of evidence pointing to the advantage of a four or five years' preliminary course in the general line?—It is a difficult thing to lay down any hard and fast rule in a matter of that kind. One man might be obviously fit for judicial work almost when you first get to know him, and another might take time to develop that fitness, but I do not think that more than two years is necessary for anyone in order to be able to ascertain for himself, or to be discovered by those who supervise his work, that the Judicial Department is his particular line. I think early training in legal principles is important.

34280. You would get them into training as Subordinate Judges as soon as possible?—Yes.

34281. To prepare them for the higher posts?—Yes.

34282. You do not consider that study leave for a year is necessary?—No, I do not think so.

34283. Would you encourage officers to study law during furlough?—I do not think so.

34284. You think that the training they will get in the subordinate positions will fully fit them to be Judges?—Two years on the Executive side, rambling about among people in camp, getting to know the people as much as possible, and six years as a Subordinate Judge.

34285. You favour the proposal for establishing a college for the training of probationers in India?—Yes.

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34286. Would probationers come to that college under your scheme immediately after they had passed the examination in England?—After their one year's or two years' probation in England.

34287. You would give them a year or two years' probation in England first?—According to whether they are Europeans or Anglo-Indians.

34288. Then they would have a year in this central institution?—A year in the central institution, yes.

34289. Would this institution be a central one for India or would you have one attached to each Province?—No, a central one for India and a separate one for each Province. I propose the central for India to be placed in some good climate so as to acclimatise the officers.

34290. What is the object of both?—Because in the first place a man learns general Law and gets gradually used to the climate of the country. Instead of being at once brought, say, from Scotland into 120 degrees in the shade at Nagpur, he has a little time at Bangalore or Simla, or some place like that; it gives him a chance of his health not breaking down. Many people break down owing to their having to begin work in climates such as that of Bengal, for instance.

34291. You mean them to come to this central institution, and when they have completed their training there, to go to their Province and be further trained there?—To learn Provincial law and customs and dialects as much as possible.

34292. Would not that prolong rather excessively the probationary period?—Yes, three years' probation altogether. It is on account of this that I recommend lowering the age-limit.

34293. The establishment of the central institution and these local institutions in each Province would be an expensive operation, would it not?—I quite admit that. I have thought of efficiency rather than finance.

34294. Do you think you would get your full reward in efficiency to compensate you for the very large expenditure?—I think so, efficiency in this way that one thing would be avoided which, although not a scandal, is not a thing which should exist, and that is an officer learning his work at the expense of the public. He is given cases to try and trusted with the liberties and properties of people before he knows what to do with them, before he has passed the Departmental Examination. He learns at the expense of the public, and I do not think that is right.

34295. I am thinking more of that period when the young civilian is placed under the general supervision of a superior officer. During that period he is being trained in the life and habits and customs of the people. Do not you think that on the whole he will acquire more useful knowledge by such a life out in the country under a senior officer than he would by being placed at that age under all the discipline of a central institution?—I think he might if the strength of the senior staff was increased so that his supervising officer would have more time to give to him than just a passing word now and then, which is all he gets. I have had complaints from very junior officers, not of the Civil Service but certainly of the Provincial Civil Service,

that fault has been found with them after having worked two or three years, and they were never fore-warned, simply because their superiors have had no time to attend to them, having their own work to look after.

34296. More attention could be paid to a probationer if a stronger staff were granted for the purpose of controlling and training him?—I am very far from saying there are not many alternatives, but I am now merely comparing the present conditions.

34297. I am merely probing this matter of an institution, because many other witnesses have advocated it, and I wanted to hear what your views were with regard to some of the objections which have been raised?—My views are very largely theoretical, because I am not a member of the Indian Civil Service myself.

34298. Another objection which is raised to it is that the young civilian will already have gone through his examination in England and his probationary course of two years?—And his Departmental examinations too.

34299. Yes, and he will have to come out here at the age of twenty-one?—Yes.

34300. Then you will impose upon him an additional year under all the discipline of another institution?—Yes.

34301. It has been pointed out to us, and I should like to hear your view upon it, that there might be a risk of rather tiring out the young civilian with too much supervision?—I think if I were going to work in a country foreign to myself, whatever home training I might have had, I should be very thankful and grateful for a training in that country and amongst its surroundings before I had any responsibility put upon me.

34302. But that is not the point. I am asking you whether, taking it broadly, the training that the young civilian gets under a senior officer in the country, is not on the whole a better form of practical training than anything you can devise within the walls of an institution?—No, I do not think so under present conditions.

34303. You say that the Provincial Civil Service is under-paid. What would you consider to be suitable rates of pay, and what grievances particularly have been brought to your notice. Anything positive in this direction from witnesses that come before us will be of the greatest use to us?—First of all with regard to the listed appointments, beginning at the top, I think that the two-thirds pay is a very substantial grievance. If a man is good enough to be entrusted with the responsibilities of high office of that kind the difference between two-thirds pay and the full pay which is given to the civilian holding that appointment is too great a difference, and it undoubtedly is a cause of some complaint and grievance amongst the Provincial Service. Of that I can speak from actual knowledge.

34304. You would get rid of the two-thirds pay rule and give the same pay as is given to officers of the Indian Civil Service?—Yes. The argument used is: "If I am good enough to do that work why should I not get the pay?" The only answer

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to that is that the one man has come out from home and spent a lot more on his education and is living in a foreign country, and therefore ought to get something more. Then with regard to the lower posts, what I say is rather more theoretical. There is no real standard to go by yet, because appointments are made by selection. I am speaking now of the Central Provinces. With regard to the Judicial Service, no doubt certain qualifications are necessary. It is almost the invariable rule now that a man has to begin at the bottom, and he must have a Law Degree before he is appointed a Munsif, and Munsifs are now promoted to Sub-Judges. These Munsifs have considerable responsibilities, and they start at Rs. 100 or Rs. 150 a month; it is only quite lately it has been raised to Rs. 150 a month. It seems to me that you cannot expect to get men who have spent a good deal of money on their education and on their Law Degrees, men of the best schools, at that pay. They may have to serve a great many years before they rise to so much as Rs. 250 a month. Then you come to the Sub-Judges. We have now District Judges trying cases without limit of value, and some of them are also working as Additional Sessions Judges, with powers of life and death, and they are only drawing Rs. 400 or Rs. 500 a month. That does not seem to me to be sufficient pay for a man with those responsibilities.

34305. What would you suggest then with regard to actual figures?—I am afraid I am not sufficiently well up in finance to say. These things have to be regulated by what the State can afford.

34306. They have to be afterwards, but apart from that what would you consider to be a fair remuneration? You told me you do not think it is enough, and therefore it would be useful to us if you could tell us what would be enough?—I think I would enlarge it if possible by 50 per cent.

34307. Would you enlarge it right through the line?—I would enlarge it right through the line by 50 per cent.

34308. Beginning with the Munsif in the Subordinate Service at Rs. 150 and going right up?—I would begin it at Rs. 225 if possible, but of course in return for that I would have a much closer scrutiny over the field of recruitment.

34309. I daresay you have seen the proposals for advancement of pay which have been put in by the Local Government in this Province, and I would ask you whether you generally agree with them?—I do not think I have seen the scheme. It is a matter which is dealt with entirely by the Judicial Commissioner. We confine ourselves to the judicial work and take no part in the administrative work.

34310. Taking it all round, would you say from your experience of this Province that there were enough Judicial officers to do the work required of them?—Certainly not. It is an extremely overworked department.

34311. Could you give us a little more enlightenment on that subject?—I can only speak from results. Starting from the Court of the Judicial Commissioner, we have now a temporary fourth Judge, and it is only by the hardest work,

Sundays and holidays, that we can keep our cases within one year: that is to say, an appeal which is filed to-day will be heard in March 1914. I admit that that is a very much better state of affairs than prevails in some of the Chartered High Courts, but still it is only by working in that way that we can keep our work going.

34312. Everything is a year behind?—Yes. We are expected to do 40 to 50 second-class appeals, apart from all Criminal work, in a month. The Commission set the amount of time that it takes to examine two witnesses, and you would not give less time than that to the final decision of a case. In second appeals alone we are expected to do that number.

34313. But they vary?—They vary very considerably. You may get one that takes you a week and another that takes you ten minutes, but taking the average I find that no Judge at the present moment in the High Court is able to keep pace with his list, even doing 900 to 1,000 cases a year. What average that works out to is evident. District Judges, besides doing the Judicial work, which is steadily increasing, have now a great deal of administrative work; they supervise the Subordinate Judges and Munsifs and the offices, and the whole of the clerical business is done by post, the Judicial Commissioner himself not having time to go round and make any personal inspections. District Judges whom I knew a few years ago as strong, hale, hearty men, are now broken down cripples, and that is due to nothing but work pure and simple. One man has gone because of his eyes, another man has gone on account of his hearing, and their health has broken down completely.

34314. That is exclusively in connection with Civil work?—Yes. It is caused by excessive sedentary work, sitting all day and half the night to keep judgments up to date, and so on. They are very much overworked. We are undoubtedly undermanned. What the extent of that undermanning is I am not in a position to say; the Judicial Commissioner would be better able to tell you that, as I do not see the calendars or the results. It is common knowledge, however, I think, that the Judicial Service in this Province is undermanned.

34315. And that goes through to the Subordinate ranks as well?—To a great extent I think it does. Of course we have increased the number of Munsifs, and the very extensive Small Cause Court powers have been made much more extensive than should be the case. We have very low paid Judges giving final decisions in Small Cause Court cases up to a limit of Rs. 1,000.

34316. What salary are they getting?—Some of them Rs. 300.

34317. Generally speaking then you say it is undermanned right through?—I think so.

34318. You would not restrict the recruitment for the Provincial Civil Service of any Province exclusively to the residents of that Province?—No.

34319. You would open the door for recruits to come in from any other part of India?—Yes, by competitive examination.

34320. What advantages do you see in that?—You would get a wide field of recruitment and

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efficiency. It is a sort of survival of the fittest. I think the time has gone by in India when a man is to be appointed only because he is his father's son or a native of the Province. No doubt it is an advantage to have a native of the Province to a great extent, but the administration is being run now on more or less European lines, and is continually advancing that way, and I think that if you can get better men from other parts of India there is no greater reason for not having them than for not having a Scotchman to serve in England.

34321. Do you advocate that because there is an inadequate supply in this Province or because you think that the time has arrived when the walls of the Provinces should be more or less thrown down, and people should come into the Service from any parts of India?—Speaking for this Province I would admit both those considerations. I think the educational institutions in this Province are not as advanced as they are in other Provinces, and that therefore the supply is of not so high a quality, and certainly not numerically sufficient. Also I think the time has come, now that Indians work not in the vernacular languages, but in the English language, which is common all over India, that the walls should be broken down.

34322. You do not apprehend that any difficulties will be caused by bringing into the Service in this Province an officer from Madras or an officer from Bengal?—No. We have had that for many years. Bengal was once our main source of supply for many Provincial appointments.

34323. (Sir Murray Hanmick.) I do not quite understand the Judicial arrangements in the Central Provinces. You say there are District Judges acting as Sessions Judges with powers of life and death, drawing Rs. 400 a month. How many such Judges have you?—Here is a case on page 72 of the Civil List; Amrit Lakshman Dighe, M.A., B.L., fourth grade, Rs. 500, Akola; Additional District and Sessions Judge, West Berar Division.

34324. He is a Provincial Civil Service Officer?—Yes.

34325. And he is an Additional Sessions Judge?—Yes. Here is another man. Ramlal Dinanath Pande, B.A., Wardha, Officiating District Judge, Additional Sessions Judge, Rs. 400.

34326. I do not quite understand the Judicial system here. Could you describe it very briefly? What is your own Court?—The Court of the Judicial Commissioner with Jurisdiction over Berar.

34327. Consisting of three Judges and an extra Judge, I understand?—Yes, four Judges.

34328. They sit at Nagpur?—Yes.

34329. How many District Judges with Additional Judges' powers are there?—We have four Divisional Judges who are the Sessions Judges for the four divisions of the Central Provinces. Those are all the Sessions Judges we have. Then we have two Judges in Berar who are District and Sessions Judges, one for East Berar and one for West Berar. To assist these officers certain members of the Provincial Civil Service, chiefly, are put on as Additional Sessions Judges.

34330. How many of those have you?—Of course we have a District Judge in each of a certain number of Districts, I think 16 in the Central Provinces and two in Berar. From time to time they are gazetted, but I could not tell you the number straight off. They are all in the Civil list.

34331. They are really Sub-Judges?—Yes.

34332. From the Provincial Civil Service?—Yes.

34333. But I suppose these Sub-Judges who are acting as Additional Sessions Judges only take cases sent them by the Divisional Judge?—That is so.

34334. And the heavy cases, such as a murder case, the District Judge would not as a rule send to these men? I suppose he sends them more or less the petty sessions cases?—Last week we heard an appeal in a murder case which was tried by Mr. Ramlal Dinanath Pande, a very complicated and difficult case of murder which the Divisional Judge of Nagpur was not himself able to try for want of time.

34335. The Sub-Judge who tried it had, I suppose, never done any criminal work at all until he was appointed Additional Sessions Judge?—Very little criminal work. This is the first case of his I have ever seen.

34336. Can you tell us how long he has been a Sessions Judge with criminal powers?—I could not tell you that.

34337. As regards this scheme of yours for an Imperial Service, I do not quite understand how you intend that it should work. These men are to be appointed to a separate cadre. Would you take away a certain number of appointments from the Central Provinces and Berar and make them into a separate Service altogether to which only Indians should be appointed?—Yes.

34338. You would take a certain number of Deputy Commissionerships, Assistant Commissionerships, Commissioners, and Judges, and place them in a separate list to which Indians alone would be appointed through this examination to be held in India?—Yes.

34339. And the rest of the Service would be entirely manned by Englishmen or Anglo-Indians?—Yes.

34340. But you would not geographically allocate certain districts to be manned by Indians and certain districts to be manned by Anglo-Indians?—No. There are certain districts in this Province which are now manned by Native civilians.

34341. What proportion do you propose to give?—I would prefer to leave the proportion to the Local Government, and also leave to it what posts are to be available. I do not know, for example, that I would open up the Financial Commissionership, and it would depend upon a good many circumstances whether I would open up a Commissionership. This is a door by which the Indians are to have such higher appointments as they now get by the very difficult door of the competitive examination in London.

34342. But before you started an examination of this kind, if it were to be universal throughout India, the Secretary of State would have to lay down the number of appointments of all grades

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which would be open to this Service, and that would have to be fixed for a long period of years?—Yes.

34343. Therefore it would be absolutely necessary to fix the proportion at once?—Yes.

34344. Would not you find that a very great difficulty?—I quite admit it would be, but not any greater than the difficulties now met with.

34345. What superiority would a scheme of that sort have over a scheme which has been proposed several times, of a separate examination in India for a certain proportion of the appointments in the Civil Service, and then allowing the men who passed that examination to be graded in the Civil Service in each year in accordance with seniority, allowing these men to run alongside the men who pass in England, and with the field open to them of the whole of the Civil Service appointments? I do not see what superiority your scheme has over a scheme of that sort?—Possibly not, but I prefer my scheme. Of course it is only my opinion.

34346. Your scheme has this great disadvantage, that any idea of inferiority which would attach to your cadre of appointments open to Indians would attach to it for all time, while if you had a separate examination for appointments in the Civil Service out here everybody would get a fair chance, from the time they started, for all appointments. If you at once allot a certain number of appointments to your cadre, the discontented Indian element would at once say that this was an inferior Service with an inferior number of appointments in it, that they did not get promotion with the same rapidity that the men in the European Service did, that they were sent to bad stations, and so on, and it would be open to all those objections, which would not attach to a scheme by which you admit a certain number of Indians to the Indian Civil Service by a separate examination in India and then give them a fair run with everybody else on equal terms?—I do not think you can devise any scheme that will give complete satisfaction. If the motive which is to guide us in coming to a scheme is to obtain satisfaction from Indians, then the whole of the Indian Civil Service should be recruited in India from Indians; nothing less than 100 per cent. will ever satisfy them.

34347. Under your scheme you might have an Indian in your Indian Service, after twelve years' service, still drawing only the pay of an Assistant Commissioner, owing to a block in the Service, while in the English Service you might have, owing to a peculiar rapidity of opportunity in the Service, which might come about at any time, a man acting perhaps as a Deputy Commissioner. Would not that cause a great deal of grumbling on both sides? It might happen one way or the other?—It might happen one way or the other, but a man takes the chance of his own cadre, and if it is made with due regard to proportions I do not see why there should be any more difficulty in a small cadre than in a large one.

34348. What benefit do you see in this racial distinction of putting two separate races of people into two separate Services?—There would be harmony between Europeans and Indians. There is no greater friction at present than that which

arises from their both being put into the same cadre.

34349. Do you think this friction exists between the Indian who has passed in England and the European?—I think so. I have a case in mind at this moment. It is felt only by those who work under the Indian, not by those whom he works under.

34350. You think that in this Province there is a good deal of friction between the European who is working as subordinate to an Indian and his superior officer?—I think so. It may be a lamentable fact, but it is there.

34351. We have not had any evidence of that up to date; wherever we have been I do not think that difficulty has been put forward, and of course it is interesting to get it upon record. For that reason you think it would be advisable to have a separate Service, as two separate Services would really tend to more unity than trying to bring the two races to work together in the same Service?—The principal reason is one which is common to what you have mentioned, namely, that Indians who are to work in the Indian Civil Service ought to be given a fair chance of being recruited in India; it ought not to be confined to the exotics who go to London.

34352. In your answer to question (25), where you were asked whether you recommend any alterations in this system, you say "I do not, so far as recruitment by open competitive examination in England is concerned. Indians by birth, if they are to be admitted at all to this particular cadre, should be required to live continuously in England for at least six years." Do you think that a system of scholarships to young boys of 13 or 14, to enable them to go home and stay in England for six years, would be of value. I mean a fairly liberal scheme, to enable them to go to English public schools, on condition that they went up for the Indian Civil Service examination. Do you think the boys would go to begin with?—I do not think it would answer. I simply put this forward as a sort of last resort. If you must have them through the London door this is the least you can do.

34353. But you do not think scholarships would answer?—No.

34354. Would it be that the parents would not allow their children to go?—What are you building up? Are you making a model Service framed on British ideals and British principles, or are you going to patch it up with a certain amount of imitations, however excellently made up, by forced means in England?

34355. To begin with, you do not think that even a boy going home at 14 and having six years' training would produce the desired results as far as character, etc., was concerned?—Not altogether. It would perhaps in particular cases.

34356. Do you think the Indian parents would send their children?—I do not think they would generally.

34357. Do you think that good families in the Central Provinces would let their children go home at 13 or 14 for six years?—I do not think they would. A few might. There are considerations of caste, in good families especially, and there is a very close family affection; the parents are very fond of their children and proud

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of their sons, and they would consider it a great hardship to send them to a strange country to live among strange people.

34358. As far as I can see, your idea is that candidates who are domiciled in India should go home for two years, but Englishmen should stay at home one year, and you propose that the age now should be reduced to 18 to 20 so that an Englishman would come out here at 21, and you would send him to a central institution for a year and then to a provincial institution for a year?—Yes. The main object of the central institution is acclimatisation. I think if an Englishman is given a fairly good climate to begin with, before he goes perhaps into the malarious climate of his own Province, he is more likely to stand up to it.

34359. What would you teach at the central institution and the provincial?—In the central institution I would teach him Laws which are common to British India, as distinguished from the laws of the Provinces themselves.

34360. And the vernacular?—The vernacular of the Province to which he is eventually to go.

34361. After his year was over and he came to the provincial institution, what would you teach him then?—It would be a period of probation, not a period of trying cases at the expense of the public.

34362. You are not particular about this provincial institution; you might send them to work under a special Deputy Commissioner for a year?—Yes.

34363. Provided they have no powers?—Yes, and that they have passed all their examinations, including their Departmental Examinations.

34364. I suppose, as it is now, a boy who comes out is not generally invested with magisterial powers, and does not begin to try cases until he has been six months in the country?—Speaking generally he does go through a small period of probation, but he gets third class magisterial powers almost immediately.

34365. Your idea is that a young civilian who comes out to the Central Provinces as a rule begins to try cases and do work before he has been properly trained?—Yes.

34366. In your answer to a question I notice you say you place no value at all upon the attendance at Law Courts at home?—No.

34367. Do you know what the course used to be at the Law Courts at home thirty years ago?—I could not say it straight off, although I attended it.

34368. Supposing the course was something of this kind, that a boy stayed at home for two years, and for the first six months was made to attend so many days at a London Police Court, taking down half-a-dozen petty cases, and also at a London County Court taking notes of cases, showing all the points that have been raised and the difficulties in the case, giving an abstract of the evidence of each witness; and supposing that at the first periodical examination these notes were put in and he was examined on them *viva voce* to see how he would have dealt with the cases; and supposing that during the next six months he had to take more complicated cases and again go through another examination, with the

same *viva voce* on his notes; and that, with still higher cases, the same examination took place again, until eventually he was taken from the lowest course right up to the Privy Council—would you say that a course of that sort would be of no practical value to the probationers of the Indian Civil Service?—You have a much greater knowledge of this country than I have, but I would suggest to you that to take a boy who has been trained in that way and put him out in camp, at his camp table, with his lying witness, his strategic Pleader, and the accused who is ready to say anything he thinks is right, is not a training that would be of the slightest use to him.

34369. I think it would be of great use to him. Do not you think it would teach him, at all events, the proper decorum and proper method of examining a witness, the importance of carefully examining his codes, before he passed any order, to see that he was right, and help him to understand the general scheme of the Criminal Law? Do not you think two years' careful training would teach him all that?—Would you examine an Indian witness with that style of decorum and method that an English witness is examined in England?

34370. You still think that would be of no use?—I doubt it. My answer rather had in mind a more or less optional course where he is his own guide and reports what he thinks was right, and so on.

34371. In answer to a question by the Chairman you said you strongly objected to his learning at the expense of the public, and of course no doubt we all object to that, but a boy must begin to learn at some time or other by trying a case: he must try his first case. The only question is whether the teaching which he would get during a course of two years' careful preparation at home, by attending Law Courts and lectures by the best lawyers, and then coming out here and taking a six months' course in the Codes, and watching his District Magistrates trying cases, would not make him far more efficient for his purpose than serving in a college at Simla or Agra for a year and then getting a six months' course with a District Magistrate down here, without having had the thorough two years' training that a boy to my mind ought to get in England. Do not you think that a course such as I suggest would be just as likely to make that boy as efficient to try his first case as the course that you suggest at two colleges, one at Simla and one in the Provinces?—No, because, with great respect, I think that local knowledge is the prime essential of efficient administration, whether Executive or Judicial, and you cannot get local knowledge from anything that you can see or do in England. The circumstances of the two countries are entirely different. It is not only what he learns at these institutions but what he moves amongst: his servants and everybody teach him something.

34372. I should like to ask you more about your proposed recruitment from the Bar for the Judicial Service. I am not quite sure exactly how far you propose to go. You say that the remainder of the superior posts might with

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advantage be recruited from the Bar: do you mean District Judges' posts?—Yes, superior posts.

34373. You mean from the Indian Bar as well as the English Bar?—Yes.

34374. You mean Vakils and Pleaders?—Yes.

34375. Do you mean that you would take a Pleader from the Bar and put him straight in as a District Judge without any training at all?—I am not talking about a new Pleader or anything like that.

34376. I mean a Pleader with practice, in the same way as is done in some countries, as for instance in England, where you take a K. C. from the Bar and make him a Judge. Is that the idea you have here, to take a Pleader and put him straight in as a Judge?—Yes.

34377. Do you think that a Pleader, from his career in this country and the kind of work he does, would be fitted to go straight in and take over a District Judgeship without any preparation?—What kind of preparation? That is exactly what happened in my own case, although I ought not to speak of it, and in the first administration report of that year I was not seriously condemned.

34378. Did you come straight from practising as a Barrister into a District Judge's place?—Absolutely straight in. I handed over my practice to another Barrister on the 10th March and on the 18th March I took up the Divisional Judgeship of Nagpur, and I thought that my work at the Bar helped me enormously in writing my first judgment.

34379. Did you find any great difficulty in the administration of the District, looking after your process-serving establishments and after the Sub-Judges?—No. I knew the whole constitution of these courts from having worked among them. I knew what the Nazam was, and what the Clerk of Courts was.

34380. Where did you practise?—From Jabulpore I was put into Nagpur, which was of course in the same Province. It will be seen that I say "Members of the Bar who elect at some future time in their careers, in the event of their being fit for it, to be made District Judges, have to come under special rules of supervision by the High Court." They have, as it were, to enrol themselves as candidates.

34381. You say that no lawyer should be eligible who adopts politics as a great part of his occupation?—Yes.

34382. With regard to the Provincial Service you think that Munsifs are not sufficiently paid in this Province?—I do not think they are.

34383. They begin you say at Rs. 150?—Yes, the fourth grade.

34384. What figure do you think a Munsif ought to begin at?—The proportion I gave the Chairman was 50 per cent. more, and that would be Rs. 225.

34385. Rs. 250 you think would be a proper figure?—I believe that is the figure in Madras.

34386. It is. You are not prepared to say anything about the Executive side of the Provincial Civil Service?—No.

34387. Do you think that the ordinary Sub-Judge is satisfied with his prospects, or do you recommend better appointments at the top of the

Sub-Judge's grades. He rises to Rs. 800 now, does he not?—Yes.

34388. Do you think it is necessary to improve that?—I think so. I think it would add to the popularity of a somewhat unpopular branch of the Service.

34389. Is it difficult to get recruits to the Judicial Department from efficient Pleaders?—They are brought in at an early stage of their career very soon after they have passed their examinations.

34390. Do you think you get the pick of good men?—Certainly not. We get men who are B.A.'s and B.L.'s and unable to make a practice for themselves.

34391. A boy who has a prospect of a good practice at the Bar would not go into the Service?—I officiated as Judicial Commissioner of Berar, and when there it became necessary to get a few Munsifs. I had noted one or two men, junior at the Bar, and I told them that they had good prospects, but they refused to come.

34392. (Mr. Chaurah.) You have four Judges, I believe?—Three Judges and one temporary Judge.

34393. Do you sit in Benches here?—Yes.

34394. So that you have generally two Benches?—Yes.

34395. You have to do the Civil and Criminal work of four divisions?—Four divisions and Berar, East and West.

34396. Five divisions in all?—Yes.

34397. And you say you are overworked both on the Criminal and Civil side?—Yes.

34398. Have you seen how your work compares with any of the Chartered High Courts with the same number of Judges?—No, not as far as I know. Compared with Lucknow, which is very much the same as ours, we find that our work is very much higher.

34399. I do not know anything about Lucknow, but I know something about Bombay. Bombay has generally four Judges for Appellate work sitting in two Benches, and you will admit that your Divisions are much smaller than the Bombay divisions?—I presume they are.

34400. You have no division in which there are more than five districts?—No.

34401. You have one division in which there are only three districts?—Yes.

34402. In Bombay there is no division which has less than seven. You say that the disposal of 40 to 50 second appeals per month overtakes the Judicial Bench?—40 or 50 second appeals only, but there are lots of other things besides, such as first appeals and applications.

34403. I know that, but taking the second appeals by themselves. I suppose you would admit that, if on comparison of the work, the amount of work in the Central Provinces was less than in the Chartered High Courts you would have to qualify your statement that the Judges are overworked?—Certainly not. How does the Bombay High Court deliver its judgments? Are they not taken down by a shorthand writer?

34404. I will give you that information privately?—I have seen the Allahabad High Court work, and there the Judge gives his judgment in about one-tenth of the time it would

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take us to write our judgment. We write every judgment with our own hands.

34405. Do you mean you must do so?—We do in point of fact.

34406. When you confirm a decree you need not write a judgment?—We do.

34407. But you need not. Where a judgment is confirmed, it is not necessary for a 2nd Appellate Court to write a judgment?—We think it is. It is our practice to write a judgment in every case, however short, with our own hands.

34408. For the Central Provinces there are four Divisional and Sessions Judges for the four Divisions?—Yes.

34409. Are there separate Judges for the Districts in each Division, Civil and Criminal, District and Sessions Judges as you generally call them?—No, not in the Central Provinces.

34410. So that a Divisional and Sessions Judge is the Civil and Criminal Judge for the whole Division?—No. He is the Criminal Judge for the whole division and the Civil Appellate Authority for certain cases throughout his Division. Then there are Civil District Judges in each Civil District. There are also Additional District Judges, some of whom also work as Additional Sessions Judges.

34411. Your District Judge has no original Civil Jurisdiction?—The Divisional Judge has not except in matrimonial cases.

34412. And Probate?—No; the District Judge does all the Probate work.

34413. You find they are also overworked?—I think so, as far as I can judge.

34414. Has frequent assistance to be given by investing Subordinate Judges with Criminal jurisdiction?—Yes, in some cases.

34415. In my Province we have frequently, on account of this same complaint, invested Subordinate Judges of the first class with the powers of Assistant Sessions Judges, and we give them those powers in order that they may assist the District and Sessions Judge in the disposal of the work?—We have some cases of that kind. I would not say it was frequent but it has become more frequent than it was, under pressure.

34416. With respect to some of your answers, in the first place may I know why it is you consider that an Indian should not be permitted to appear at the competitive examination in London. You are proposing that the Indians should not be permitted to appear at the competitive examination in London because it will be doing good to the Indians themselves, in the first place by removing them from the false position in which they find themselves as regards their European colleagues in the same Service?—Yes.

34417. And secondly because he would not be in the same false position in which he is as regards his own 'orthodox circle, the circle from which he has gone to England?—Yes, and I would have an examination out here.

34418. I am looking at it from the aspect that you wish to stop him from going in for the present examination. So far as I have gauged the Indians' feeling, it is exactly the other way. Therefore I want to have your opinion, because I think it would be considered a serious misfortune by the Indians if for any reason you were

to shut the English door of the competitive examination against them. On what solid basis does your opinion on that point stand?—On very much the same as yours: a knowledge of the people for the last thirty years.

34419. I am going to give my own opinion, which you have not yet heard. Do you know a large class of Indians who at present go home and appear for the competitive examination, or say during the last ten years, Indian candidates who have gone from India and appeared at the competitive examination in London?—I have met some of them.

34420. Do you think that they belonged to the old orthodox class of Indians before they went from here?—I think there are exceptions to it. They are pioneers.

34421. Therefore you cannot say that while they are here they form part of the orthodox section of their community?—If you will kindly give me a definition of the "orthodox community" I may be able to give an answer.

34422. I take it to have the same meaning that you give to it; it is your expression, not mine, in the answer which you gave to the Chairman. You said that he finds himself in a false position as regards the orthodox section of the community in India after his return?—Yes.

34423. My question is: not thinking of the position he finds himself in after his return, but of his position before he goes, can you say that before he went to England he was part of the orthodox section of his community with respect to which you say he finds himself a stranger on his return?—He may have been; I cannot tell whether he was or not. He cuts himself off from his home life and from his traditions and from his caste and from his clothes, and from everything that goes to make him an Indian.

34424. Do you find from what you know of those gentlemen who have passed through the open competitive examination, or for the matter of that amongst those who have failed and come back here, that they are the less Indian because they happened to have gone and studied for three or four years in England?—No, they remain Indians.

34425. Therefore they do not get out of touch with their communities?—That is another point. I say they do.

34426. Will you kindly illustrate how?—You can be an Indian and be out of touch with the Indian community.

34427. In what way out of touch?—I am sorry you press me for this, but I must reply. Some of them come out and remain unmarried until they are of a considerable age, and that is rather unusual. Some of them marry European wives, and that is unusual.

34428. That is very rare, is it not?—It is not very rare.

34429. You can hardly point to one instance in a hundred?—I do not know.

34430. If you look into it you will find that is the proportion. You are proposing a scheme which is for adoption by the whole community, shutting out all Indians from going to England for the competitive examination. Can you say

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that they are not in touch with the feelings and manners and customs of the people?—I should like to know what you mean by “in touch.”

34431. I attach the ordinary meaning to that expression?—Would you say I was in touch with Indian feelings and manners?

34432. I should say one per cent. of the Europeans are in touch with the Indian feeling, even of those who have passed 25 or 30 years in India. I am telling you frankly my own personal opinion?—I am glad to hear it. When you Anglicise an Indian you take him away from that touch; he becomes English and out of touch.

34433. My question is with regard to facts. With regard to those gentlemen whom you have seen come back from England after three or four years' residence there, can you say that they have failed to understand the feeling and sentiments of the Indians and of their own communities here?—No.

34434. With regard to the first ground, whose fault is it, do you think, the fault of the Indian or the fault of the European?—It is nobody's fault. It is a fact and a circumstance.

34435. Then it is not the Indian who is to be blamed for that?—No, very far from it. He is the victim of circumstances.

34436. And he is to be victimised by not being permitted to appear at the competitive examination because it is nobody's fault?—No, it is not victimising at all. It is victimising him to compel him to appear, to try and make a European of him, to make him an imitator instead of something real.

34437. As a matter of fact, he does remain the same being he was before he went?—You asked me whether he lost knowledge of the thoughts and feelings of his community, and I say he does not lose knowledge but he has become an imitator of the English.

34438. He may have become an imitator of a lot of other things, but he has not ceased to be in touch with the feeling of his own people. Whatever else he may learn, it does not disqualify him from efficiency of service. With regard to the Judicial Service, you said in answer to the Chairman that recruitment to the Judicial Service must not be tied down to any one source?—Yes, with reasonable consideration for the established Services.

34439. But at the same time you want the Indian Civil Service portion of the Judicial Service to remain to a considerable extent as part and parcel of the Judicial Service?—Yes.

34440. May I know to what extent?—I cannot say; it depends on the circumstances of each Province, upon the cadre of the Service and many other things. It would be misleading to lay down any fixed proportion, which I take it is what you want.

34441. Supposing it is suggested, as it was suggested to us in some Provinces, that the whole of the Judicial Service may be manned and equipped from the different sources that you mention, without fixing any proportion of the Indian Civil Service at all. The Judicial Service need not necessarily form a portion of the Indian Civil Service; if you like you may take some from the Indian Civil Service,

those who are specially fitted or those who show special inclination for Judicial work, and recruit the rest from Barristers and Pleaders. Would you be opposed to that suggestion?—I think it would be absolutely impossible to work it. How could you possibly have a cadre of a Service like the Indian Civil Service unless you reserve a certain percentage of appointments. If you do not reserve them, what will you do with your men? You bring out twelve civilians who are likely to be fit for the position, and you have ten appointments and six good Barristers to put in, and you have only four appointments left for the Civilians. What will you do with the other six?

34442. If necessary I am prepared to go so far as to say that there will be no civilian in the Indian Judicial Service?—Then I think your supply would fail.

34443. You mean it would not be possible to get enough practitioners?—Not of the standard I have in my mind's eye.

34444. Taking the present posts in this Province, you have got only six District and Sessions Judges?—That is so, in the Central Provinces and Berar.

34445. And you think it will not be possible to get even six with the more liberal principle which you advocate of, where necessary, recruiting from other Provinces?—I nowhere speak of recruiting from the Bar of other Provinces. Every recruit from the Bar must be recommended by the High Court.

34446. Are you only able to find six persons practising at the Bar who can be proposed for filling the six places?—I do not think we could find two who would be willing to take them of those who would be fit to do so.

34447. Do you suppose that pecuniary gain is the only thing a man looks to in connection with the higher Services of the Judicial line?—It depends on his character. Some men like honour while others prefer the banker's balance.

34448. But there are people who prefer honour?—Certainly.

34449. For instance, we have yourself in the Judicial line taken from the practising Barristers?—My appointment was a question of money.

34450. I suppose when you say you would not be able to get enough men, you also have that qualification in your mind that no lawyer who has adopted a political career, or taken an active part in politics, should be eligible?—Yes. I hold a very strong view on that point, because I think the adoption of a political career necessarily drives a man into the position of looking at matters from one point of view.

34451. Are you speaking then from experience or is it only a matter of theory?—All things are more or less based on our experience of our fellow men.

34452. I am sorry for the experience then. In my Province at least four Judges of the High Court have been all leaders in politics, men who have taken a most active part in what you call a political career. Do you think that their work suffers?—I am not in a position to state any opinion because I do not know any of the gentlemen concerned.

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34453. I want to know whether this opinion of yours is based on your experience of persons who you say have adopted the political career being put into these posts and tried?—It is based on my experience of Indian politicians, an experience gained long before I went on to the Bench, when I was behind the scenes and had their confidences.

34454. My question was whether you have seen their work in their Judicial posts?—I am not aware of any politician having been raised to a Judicial post in the Central Provinces. We are now talking of District Judges and High Court Judges.

34455. It does not matter. I do not see what difference there should be in the efficiency of the work of a District Judge and a High Court Judge. If they do take part in political matters I do not see that that should disqualify them from Service. You differentiate the case of the Anglo-Indians and Eurasians from the Indians, and I should like to know on what grounds you do that?—I understand Anglo-Indians and Eurasians are people who have their home influences and surroundings in this country, and I think they gain a great advantage in having a slightly longer period of English training.

34456. You would allow the Eurasians and Anglo-Indians to appear at the competitive examination?—Yes.

34457. But you do not allow the Indians?—No.

34458. My question is with regard to that point?—It is the only thing they can possibly have. They would be absolutely out of place in Indian cadre.

34459. Why?—Because they would.

34460. In the particular Imperial cadre you have proposed why would they be out of place?—I would rather not say. Ask them. Ask the community. Ask the Anglo-Indian Defence Association. All those people will tell you.

34461. They will tell me that they are not fitted to serve in an Imperial Service cadre such as you have proposed?—I do not say so.

34462. Then I do not follow you?—They will not work with Indians.

34463. Because they will not work with Indians you must give them the open competitive door in England, is that so?—Yes, because there is nothing else for them.

34464. If they will not have it then let them go without it?—Their habits of thought are more European than Indian.

34465. You think there is something in their thoughts and their training which differentiates their case from the case of the Indians?—No. There is something in their training which differentiates their training from that of the English.

34466. What training they have you think entitles them to this exceptional treatment as compared with the Indians?—Yes, I do.

34467. May I know in what this training consists? I am absolutely at a loss to understand why you select one particular class of the inhabitant of this country for preferential treatment as compared with other inhabitants of the

same country?—Because they belong to one race and not to the other.

34468. Then I understand it comes to this, broadly speaking, that so far as the Indian is concerned it is a taint in the blood which afflicts him?—I do not know.

34469. (Chairman.) I do not think we need go further into this. If Mr. Chaubal desires to go into it he must do it in private, because it is against all the interests of the public that it should be done here. (Witness) If Mr. Chaubal presses me much more I shall have to tell him what I think.

34470. (Chairman.) It is not in the interests of the public that we should bandy these questions backwards and forwards. If it is desired to do so, we shall have to clear the room. (Mr. Chaubal.) I do not desire it, but I do not think that an answer like that should be published wide-cast to the world, and that I should not have an opportunity of cross-examining the witness on the point.

34471. (Chairman.) If you desire to do so, I think it would be far more in the public interest to do it in private. (Mr. Chaubal.) I quite agree, but I will not press the matter any further.

34472. (Mr. Macdonald.) As I understand it, you want two Imperial Services, an English wing into which Eurasians may go and an Indian wing into which only pure Indians may go?—Yes.

34473. You want the English wing to be filled up by nomination plus examination?—Yes.

34474. I want to understand what you mean by nomination. Is every young man who wants to sit for this examination to receive a nomination before he can sit, or do you mean simply to weed out the big crowd that may apply, on account of their deficiencies?—I would prefer the latter course.

34475. So that it is not nomination you want, but weeding out?—Yes.

34476. It is very important that we should use our words very carefully. You would like to have men in the Service who are morally, physically, socially, and racially fit for their work?—Yes.

34477. Can you test the moral qualities of a young man by a Board or by reports?—As far as antecedents can help you, the little that is known of him, his school life, childhood, birth, and so on.

34478. Do you take the view that morality is hereditary?—Certainly not.

34479. Therefore to test his morality by his antecedents is a very risky thing?—It is the only thing you have got. You may lose a Derby winner in weeding out a stable, but you must weed it out according to the principles of experience.

34480. Your suggestion is that the Indian Civil Service is to be weeded out like a stable, with the chance of losing a Derby winner; but you do not win the Derby by moral character do you?—I am afraid you are seeking to carry the analogy too far.

34481. Might I suggest that the analogy was pushed too far by yourself?—Perhaps so.

34482. You want to get the moral man and your suggestion is that you can select him?—I do not say that I want to get the moral man. I

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want to get a man with character, the character that is required in this country to lead and direct.

34488. Would you mind sticking to your brief. You say, in answer to question (42), that amendment is called for in the direction of narrowing the entrance door: that refers to the entrance door for English candidates not for Indian candidates at all?—Yes.

34484. So as to shut out from the examination room men who are not moral men and so on?—Yes.

34485. I have asked you how you are to test the moral qualities of those candidates who come up for the examination, and you have made two suggestions, first of all heredity and secondly school reports. Dealing with your first suggestion do you stand by heredity or do you not?—I do to a great extent.

34486. Although you admit morality is not something which is inherited?—It is not a monopoly.

34487. So that even on that test you are as likely to make mistakes as simply leaving it to an open competition?—I do not think to the same extent; an open competition is chance pure and simple.

34488. Heredity?—Not to the same extent.

34489. Not quite to the same extent, but chance?—To a certain extent it is chance.

34490. When you have selected your moral man . . . ?—When I have excluded my immoral man, if you will kindly say, and keep to the brief.

34491. Very well. When you have excluded your immoral man and you have weeded out your garden so that from your point of view it is going to produce moral flowers, you have only weeded out an immorality which is true of England and English conditions, have you not?—Yes.

34492. Is not your great problem in India to keep your man moral after he has come out to India?—I do not think so. It is not a problem which I have had to study in the Civil Service.

34493. You state in answer to the second question that many clever men come out in the Indian Civil Service who fail as administrators for want of the necessary character, or physique, or both?—Yes.

34494. Do you want to tell the Commission that in your view the defects in the character of the men were evident before they left England?—They might or might not have been if they had been looked for.

34495. Do you know men who were very promising men when they came out but turned out to be bad men after they had come out?—I cannot call any particular instance to mind.

34496. Can you call to mind the opposite men, whose apparent character was not very promising when they came out but who turned out to be admirable officers?—No, nor that either. I have not held any scrutiny into the character of these people. As a rule they fulfil expectations.

34497. But still the value of your proposals consists in their practical character, and consequently only in so far as you can speak from experience are your proposals worthy of consideration?—That is so.

34498. Now we will come to the Indian side. You have two reasons for proposing your separate cadre, so far as I can understand. First of all,

when you send an Indian to England to get educated, he comes back—I do not want to pin you down to a form of words—not exactly an Indian; some sort of subtle mental change has taken place in him which expresses itself in different clothes, different habits of life, different age of marriage, and so on?—And to a certain extent lines of thought.

34499. That is what I mean. This subtle change takes place?—Yes.

34500. I suppose he has come under new social, political, economic and culture conditions?—Yes, possibly.

34501. The young Englishman comes out here under new modes of thought, new conditions, new climate, new culture and a new bent of mind. As a matter of fact the Indian problem which the Englishman has to solve as an administrator is not the same problem in kind as he would have to solve if he had gone into the Home Civil Service?—Substantially I agree with that.

34502. Do you not think it is a self-evident proposition?—Yes.

34503. Consequently when the Englishman has been out here ten or twelve years he is not exactly in his mental constitution the same sort of person he would have been if he had remained at home?—That is so.

34504. By a parity of reasoning, which I admit is sound as far as the Indian is concerned, in making our selections we have to take that into account, and when people talk of British traditions we have also to take that into account?—I do not admit that India makes the change in the English character of the Englishman that England does in the Indian.

34505. But the same influences are at work?—The same influences are not at work. The Indian goes to a country which is the dominant country. It is no good not looking facts in the face. He looks up to that country. He is anxious to be led by that country when he gets there. He does not go home to teach Indianism, whereas the Englishman comes out here to teach India how to be English.

34506. I do not want to push you too far, but it is a fundamental point as regards our reference. Does it matter very much, from the point of view of the problem you and I are trying to grapple with just now, whether the man is a schoolmaster or a pupil. The pupil looks up to his schoolmaster and admires him. The schoolmaster looks down to his pupil and acquires the schoolmaster's frame of mind. So that the forces are the same, at one time playing one way and at the other playing the other and you get the mental result?—Yes.

34507. I want to find out when the expression "the British tone of the administration" is used, under what special circumstances that phrase is used. I want to get it down to a scientific reality. Now, leaving the educational side out of account, your next view is that personally it is far better for the Indian himself that he should not be forced into a false position?—Yes.

34508. Therefore you want to give him a water-tight compartment where he will be free and an Indian?—Yes.

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34509. There are obvious objections to that and I am not going over any that have been mentioned; but supposing by your method you do secure what you say you want to secure, that is unity, not in one Service but in both Services, *esprit de corps* not in a common Service but in two separate Services, by creating a dualism in the Service rather than by trying to obtain a false unity, then you have another problem, the racial problem, the problem of the Indian community—using the word Indian in a very wide sense—asking for a proper place in the administration of the country?—Yes.

34510. Have you thought of this as a possible objection to your scheme, that by dividing the Service into these two wings you are really creating a very great opposition of a racial character which more than counterbalances the advantage which you get from the personal point of view?—I do not think so.

34511. Have you thought of the provisions of the Statute of 1883 in connection with your proposal?—Yes.

34512. Is not your proposal contrary to that?—Possibly it may be.

34513. The Statute says that "No Native of the said territories nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour or any of them be disabled from holding any place, office or employment under the said Company." It strikes me that your proposal is rather contrary to that?—I do not think so. I think that the Statute must be read with reference to circumstances, and it must be read also with reference to the passing of time. Statutes are not everlasting; they are not like the Laws of the Medes and Persians, irrevocable. Would you have South Africans, Canadians, or Australians in the Indian Civil Service?

34514. That is another question regarding the construction of the Statute. It is doubtful whether the Statute does compel you to have them. I am not here as a lawyer and you are not either. Your opinion is that your proposal is not contrary to the Statute of 1883?—I have not studied it to that extent. It may be, but I do not think it is from what you read to me just now. I confess I have not examined my proposal in the light of that Statute.

34515. (*Mr. Sly.*) I think you told us you had had 16 years' experience at the Bar and 16 years' experience as a Judge?—That is so.

34516. So that you have seen the workings of the Law Courts both from outside and inside?—Yes.

34517. I should like you to tell us whether there is any general public opinion in the Central Provinces in favour of the withdrawal of magisterial powers from the District Magistrate?—Would you mind defining "public opinion," because we have now two public opinions; we have the public opinion of the classes and the public opinion of the masses. Taking the public opinion of the masses I should say certainly not. Taking the public opinion of the small educated minority I should say certainly there is.

34518. Can you tell us from your experience both as a Barrister and a Judge whether you have

found that numerous cases of injustice occur from the combination of those functions?—No, I should say certainly not, after careful consideration and attention to the matter and much thought about it.

34519. Particularly with regard to Forest and Excise cases and other cases where the Government Revenue is particularly concerned?—In particular cases of that kind native magistrates are disposed to lean towards conviction, but there is this to be said, that cases of that kind in which Government is the complainant are never started except upon carefully scrutinised grounds. They are not reckless complaints such as private persons make, and therefore even in those cases, I should say, speaking generally, that no injustice exists.

34520. Do District Magistrates ordinarily try original Criminal cases themselves in the Central Provinces?—Occasionally. The number becomes less each year. Owing to our possession of Section 80 of the Criminal Procedure Code his powers can be given to Sub-Divisional Magistrates.

34521. Can you tell us whether your experience shows that District Magistrates abuse their powers of transfer of Criminal cases from one Magistrate to another, or their powers of selecting particular Courts for the trial of particular cases, whether that power is utilised in any degree in order to secure a decision which might not be given if sent to a so-called more impartial Magistrate?—That is a very difficult question to answer because the points of view vary. Is it an abuse of power if a District Magistrate is honestly convinced, from his information of the guilt of some person, of the necessity for a very careful trial of some person, that he should send the case away from the ordinary Magistrate to some particular Magistrate in whose impartiality or ability he has special confidence? If it is, then such cases are common. If you mean that the District Magistrate sends cases to particular Magistrates who are under his thumb in order that they may convict particular persons he wants convicted, then I say that is extremely rare.

34522. Do you think that cases commonly or even occasionally occur in which the District Magistrate interferes with the Judicial independence of a Magistrate subordinate to him trying the case?—Such cases have occurred and have been brought to my notice, but they are very exceptional. I think his interference is more on the general lines of guidance in principles rather than in particular cases. I think also that he is credited by his Subordinate Magistracy, especially the Indian Members of it, with a good deal more desire to interfere in particular cases than he has, and that this has some effect upon their decisions.

34523. Do you think there is good reason why Government should not accede to what you state to be the opinion of the educated classes in favour of the withdrawal of magisterial powers from the Executive officers?—Yes, I think there is.

34524. What in your opinion is the principal ground for that statement?—Because the District Magistrate is the point of contact of the British administration with the people. He exerts that preventive control which prevents worse influences getting to work, that control which English

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public opinion imposes upon Judges and Magistrates in England. The Indian public opinion of dislike for crime because it is crime is still an infant in leading strings. If you want the Native Magistrate not to be influenced by caste, by wealth, by public sympathy for the criminal, you must let him feel that he is subject to an impartial criticism, and that he gets from the right kind of District Magistrate.

34525. There is one point I want to touch upon in connection with your scheme for recruitment to the Judicial Service, in which you have suggested that an Indian civilian after two years training in India should be allocated to the Judicial Branch. In that opinion have you taken into consideration that the first two years' service of a European officer in India are largely taken up with study for examinations and other methods of training?—Yes.

34526. And that he begins to acquire his real knowledge and intimate acquaintance with Indian conditions after that period of his training is finished, when he is more closely in contact with Indians in the practical work of an Executive charge?—My answer must be read subject to my other proposals, that all these probationary periods, Departmental Examinations, and so on, must be undergone before the liberties and properties of other people are put into his hands; in other words before the civilian gets to work. Those are the two years I mean, two years of work, not two years of probation.

34527. With regard to the Provincial Civil Service, can you tell us whether as a matter of fact the direct recruitment to a Munsif does or does not at present attract the best material available from the Local Bar?—No, not the best material. It attracts a certain number of graduates.

34528. The best graduates?—I doubt it. It has not been in force long enough to say.

34529. How long has this system been in force under which direct recruitment to the Judicial Service is restricted to the recruitment of Munsifs?—Five or six years, I think.

34530. Do you think that if there was a method of direct recruitment to Sub-Judges you would possibly get better material into the Provincial Civil Service than you do at present by forcing every candidate through the Subordinate Judicial Service as Munsifs?—No, I do not think so. The difference in pay is very small. The Sub-Judge begins at Rs. 300 and the Munsif at Rs. 150.

34531. That is double?—Yes, but what is Rs. 300?

34532. Would you not be in favour of any change in the method of recruitment?—No, I prefer he should start as Munsif and come right up.

34533. (Mr. Madge.) Whether your proposals are regarded as useful and accepted or useless and rejected, do I understand you to wish to satisfy the natural and legitimate desire of Indians to serve their country in such posts as they may be advanced to?—Quite so; very much so. I asked myself the question: why do these Indians want to get into the Indian Civil Service and go to all the trouble, and in some cases caste degradation, and the difficulties of going to a cold

and foreign country, to do it? And my answer was because they want to take a share of the higher appointments. Then I thought why should they not get those higher appointments by proper treatment in their own homes instead of being sent to England. That is my desire, however bad my proposal may be.

34534. With regard to the Statute and the proclamations which declare that a man's race shall be no bar to his appointment to any post, have you ever been asked to believe that those guarantees mean that any man of any race shall be entitled to any appointment to which he and his friends think him eligible, irrespective of methods of recruitment?—Certainly not.

34535. Then why do you say you had not considered the proclamation with reference to your specific proposals?—It was the Statute of 1833 that I was referred to.

34536. I am referring to the guarantee that no man's race shall be a bar to his appointment anywhere?—I have my own interpretation, probably a very faulty one, as to what was meant by the Proclamation of Her Majesty Queen Victoria.

34537. I invite you now to consider it, because as far as I can see not one of your proposals militates against any guarantee?—I said I do not think it does.

34538. In answer to your question (42) you have thrown out an idea which is somewhat allied to one that has been in my mind ever since this Commission started, although it occupies a higher plane, and you can deal with it more ably than I possibly can. That is the idea of securing for the Service the best possible class of Indians that can be got hold of for the Government. But after stating your conditions you arrive finally at qualifications, and this is where I fear there is the missing link. You do not tell us how these necessary qualifications are to be tested. I may tell you that witnesses have been asked whether the Government could not follow on the Civil side what is being done on the Military side, a method which has been advanced to some extent by Lord Curzon's plan of the Cadet Corps. One witness suggested that imitation of the Rajkumar Collego elsewhere might serve. But most of the witnesses are unable to supply the test for character that we are seeking. You do not suggest how we are to find early in life the kind of man who afterwards shows himself to be a brilliant character and whom everybody wishes we could have got hold of for the Service?—You ask me not only to propose a scheme based on a principle or idea, but also to say how it is to be carried out. I think those are two distinct subjects. I am quite prepared to offer certain proposals, but I do not think I have worked out a scheme in greater detail than was necessary to convince myself it was what seemed to be a proper system.

34539. Do not you see that your advice in this case, which I am disposed personally to consider valuable, is either on one hand a counsel of perfection or on the other something like the definition that describes an Archdeacon as a person who exercises Archidiaconal functions: it leaves us where we are. You cannot help us in any

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way?—I think I can. Taking into account my little knowledge of Indian feeling—of course it is possible I happen to be the one person out of the hundred—I should say that class, birth, position, and antecedents, old-fashioned though they are, still have a very strong force in India, and I have no doubt whatever that with a competent Board, in India—making selections of Indians of good family, antecedents, and so on, getting them properly educated and then taking the best of them into the Service by the competitive examination, would enable you to get something very much better than you now get through the open door in London.

34540. Or by any system of pure competition in the country?—Yes, or by any system of pure competition.

34541. The trouble is that there is the risk of such a body making mistakes, or exercising favouritism, or of just missing talent that might be secured in some other way?—But the competitive examination does not remove that difficulty. I have said somewhere else that the passing of an examination is by no means a guarantee for fitness of administration.

34542. But you think the risks on one side are less than those on the other?—You cannot help taking risks when dealing with human institutions.

34543. You have a fear that if there were simultaneous examinations in this country the Service would be flooded with Indians, and by that I understand you to mean more Indians than ought properly to come in?—Unless you have a restriction in the ordinary course of things it must be necessarily so, although perhaps not immediately.

34544. But there is an idea that the standard of education in this country is so much below that of the standard at home that very few would get in?—Then you furnish me with additional argument why you should not have simultaneous examinations. If they are not to help the Indian and he is not likely to get in, then you do not want them.

34545. One witness told us that you would appease public sentiment whether anybody got in or not. I suppose you have nothing to say to that?—Nothing whatever.

34546. Do you think that if such a system existed in this country the effect upon general education would be unhappy, leading to cramming?—If you had simultaneous examinations depending on the marks a man could get, it would certainly be most unfair to ask our Indian fellow-subjects to compete with an English civilian in the European languages, and sooner or later you would get an alteration in the syllabus, having Oriental languages for Indian candidates, and it would be unfair to ask English candidates to compete with Indian candidates in Oriental languages, and accordingly you would get one language set off against another. You would have probably 2,000 marks for the European languages and 2,000 marks for Indian languages. Who do you think would get the most marks considering the field you would have to choose candidates from. In mathematics the Indian

has shown an extraordinary capacity for passing. We have had Wranglers, even Senior Wranglers. So that in every way you would get a very much larger class of candidates who were Indians than you would candidates from home, thousands of Indians as against hundreds of Englishmen, with the usual result. Taking it that they are put on equal terms, the proportion of Indians passing would be much greater than that of the Europeans.

34547. Coming to the question of the proposed separation of the Executive from the Judicial, you have actually thought that it might be fixed at two years?—Two years of active work.

34548. You said you thought that was a period of life at which a man ought to choose his future career, but that is only one element in the matter. A man's choice of his career, although an important factor is not the only one; he has to acquire experience which is to prove valuable to him in that career. From that point of view do not you fear that the two years may be too short?—No, because of the peculiar nature of the Judicial work. It is very much more under control and very much more easily put right by Appellate tribunals and tribunals of revision than the work of the Executive. In Executive work a young officer may do a thing that cannot be undone. In Judicial work he may write a wrong judgment which is put right on appeal. He has six years as Subordinate Judge after that.

34549. So that he gets educated by vivisection?—Yes.

34550. You have attached some importance to the candidates for the Civil Service coming out after some training in Law?—Yes.

34551. Has it occurred to you that the Laws of most countries reflect a good deal of the local influences, and that it might consequently be a greater advantage to have a civilian come out here and study Indian Law than stop at home and study English Law?—A greater part, the statutory part of it at all events, of Indian Law is entirely derived from English Law. Our Acts on equity, on the transfer of property, our Criminal Procedure, our Civil Procedure, Contracts, and many others are founded on English Law. For instance, the Courts lay down that where there is no Indian Law of Contract the Court must follow the English Law. Therefore a judicial candidate must be taught those principles. Then our Law of Evidence is almost entirely based on English principles with local modifications. Those principles must be therefore taught, and he can learn them best in England. He must begin young.

34552. There is no doubt that there is a certain amount of similarity in both Laws, but do you not think that many fundamental principles underlying Indian Laws are essentially Indian?—Only in Hindu and Muhammadan Law.

34553. Not the Penal Code?—Yes, as to the offences. The offence of being a Thug for instance; there is no such thing in England, but when you try a Thug you try him on English principles of evidence.

34554. But even with regard to the Criminal Procedure Code, do you not find Indian conditions which are not in harmony with English conditions?—Yes. For instance, the very large

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Appellate powers, which is a very necessary thing in India.

34555. You have referred to the position of the domiciled Europeans and Anglo-Indians in this country. May I take it that underlying that consideration was the fact of their heredity which differs essentially from the Indian heredity?—

34556. You make no comparison beyond recognising the difference?—That is so.

34557. Do you think it possible that, under favourable conditions, in the best European schools there may be a reversion to the British type of character on the part of Europeans and Anglo-Indians who have never been home?—It takes place every day. There are hundreds of Europeans born and bred in this country.

34558. You have come across men who might be placed by the side of Englishmen and who in all respects had all that was necessary to make a good administrator?—Yes, absolutely in every detail. I am intimately acquainted with a Eurasian gentleman who was a General Officer commanding a force, and in all respects an Englishman.

34559. You have also been referred to the attention due to the claims of educated Indians on political grounds. You have doubtless also considered the weight due on purely political grounds to the needs of the great masses. Do you think that the real interests of these two classes, the educated few and the great body, run in precisely the same direction?—No, they do not.

34560. To which do you attach the greater importance?—Naturally to the majority.

34561. And you think that a responsible government is bound to consider that fact in all its bearings?—I think that will be admitted everywhere.

34562. Although in some respects it cannot cover all the ground?—I think that may be taken, but I do not mean that you are to neglect the educated classes.

34563. (Mr. Standen.) You told us that the arduous character of the work in the Judicial Department has not infrequently broken down the health of Judges. Do you think that the unfavourable leave rules have any contributory effect?—I am afraid I cannot speak with any great authority as I have never made a study of the leave rules.

34564. Can you tell me whether Judicial officers take leave as often as Executive officers, especially in the Subordinate Service?—No, because they do not get privilege leave on the same terms. They get an annual vacation which, with great respect for what another witness said here, is of very little use. They do not get privilege leave on full pay, except the District and Sessions Judges.

34565. I was talking mainly of the body of the Subordinate Service?—They do not take leave as much as the Executive people.

34566. As regards the young civilian on the Magistrate's Bench, can you tell me what classes

of cases he generally tries at first?—The ordinary cases of a third class Magistrate, petty assaults, and sometimes a few Police cases and sometimes Municipal cases. They are quite petty cases, but he is fairly quickly moved up to second class Magistrate.

34567. Would it be true to say that his practical training is conducted at first with the least possible expense to the public?—Yes, I think that would be true. I think every effort is made to do the best possible under the circumstances for him.

34568. (Mr. Thakur.) You refer to the slow promotion and low pay?—Yes.

34569. An officiating Munsif begins at Rs. 125 and only rises to Rs. 200, by increments of Rs. 25 a month, do you think that is suitable pay for such an officer?—I have already said that it is not. I think it should be increased by at least 50 per cent.

34570. In the higher grades of the Service, from Rs. 500 upwards, is the promotion at Rs. 100 sufficient, or do you think there should be only three grades between Rs. 500 and Rs. 1,000?—There is the financial consideration of the question of supply and demand. If you can get good men for promotion, it is sufficient, but if you cannot it is not sufficient. I am not able to answer that question.

34571. You say that the pension rules at present are unsatisfactory. Do not you think there should be an option for a man after twenty-five years' service to retire with a pension?—I should be in favour of that proposal.

34572. Referring to the listed posts now open to the Provincial Civil Service your proposal is that only 2 per cent. of the 15 per cent. to be given to the Imperial Service will be open to the Provincial Civil Service?—Roughly. I am personally against any hard and fast allotment. If any hard and fast rule is necessary I would apportion such posts themselves. I would, however, prefer to leave the question of all details in such matters to be regulated by the Local Governments of each Province, with due consideration to the conditions of that Province.

34573. May I take it that if the number of posts now open to Indians are curtailed under your proposal, you would consider it an undesirable result?—Yes, so far as this Province is concerned.

34574. This estimate you have made of 15 per cent. is a somewhat rough one?—Yes.

34575. What would you say if the percentage is raised to 20 or 25 per cent., considering that at present it is open to them to enter the Civil Service by the open competitive examination and get listed posts also? At present we have one-sixth of the listed posts which work on a percentage of 10-6 and the competitive examination, and both taken together obviously give a much larger percentage than 15. You have no desire to curtail that?—No, not to curtail anywhere, but not to increase.

(The witness withdrew.)

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ARTHUR EDWARD NELSON, Esq., I.C.S., Settlement Officer.

Written answers relating to the Indian Civil Service.

34576 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes, I accept the system of recruitment by open competition as generally satisfactory in principle. It is sometimes argued that success in a literary examination does not necessarily connote the qualities which are required for success in administration. The reply to that is that open competition has had a very long trial and has on the whole stood the trial well. The theory on which the examination rests is that the competitors by virtue of their British character and British training will possess the qualities required for successful administration, and the theory is justified by the practical results obtained. Between the candidates possessing a British character and a British training the literary examination will give weight to superior ability, and success in the examination itself implies the possession of considerable grit and character.

34577 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I have no suggestion to make.

34578 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system as already explained is based on the theory that the competitors will be endowed with certain qualities required for successful administration. The examination itself does not provide a test of these qualities except in so far as success implies the possession of powers of industry and application. For "Natives of India" therefore the examination is only to this extent suitable, that it necessitates some portion of their education and training taking place in England. From the point of view of "Natives of India" and other natural-born subjects of His Majesty the system is not so suitable, inasmuch as it involves the expense of attending the examination in London. But this objection carries no weight to my mind, as I hold the retention of the examination in London indispensable for the maintenance of the British character of the Service, and as a guarantee of the efficiency of the Service. Although the admission of Natives of India is not absolutely consistent with the theory of the examination, practically no great harm is done, and I consider it undesirable to make any change at present.

34579 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No. I do not consider any differentiation desirable. I am not aware that any differentiation has been asked for.

34580 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I have no reason for thinking that the combination is disadvantageous to Indian interests. On the other hand I consider that the combination is likely to secure a larger number of candidates of the best quality and is therefore likely to be of advantage to Indian interests. The combination also provides some test of the popularity of the Indian Civil Service.

34581 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection by headmasters of schools approved or otherwise; (b) selection by authorities in Universities approved or otherwise; (c) nomination by headmasters or University-authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; (e) any other method?—I have been unable to accept any scheme for selection or nomination as satisfactory, and it is, I think, unnecessary for me to adduce all the arguments that could be brought against the various schemes. No Board of Selection can say how men are likely to turn out as administrators any more than advocates of eugenic theories can foretell the future of babies. It is possible that a few unsuitable men may be drafted out to India, but their case can be met by the rules for the retirement of inefficient officers. The only practicable suggestion that I can make is that heads of colleges should be persuaded to interest themselves more in sending up their best men for the examination. But to secure this it is necessary that some definite assurance of a career be given and that this should not as at present be left entirely to chance.

34582 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to any system of simultaneous examinations. The burden of proving the necessity of a change lies on those who press for the change, and in my opinion no case has been made out. Nor do I agree that the best Indian opinion is in favour of the change. The only possible object in pressing for simultaneous examinations can be to increase the Indian element largely in the Administration, and I agree with the *Statesman*, which writes: "It is the conviction of many educated Indians who take a sober view of the present conditions of their country that the element of highly-paid European supervision is necessary in the general administration; they recognize that the immense progress which has been achieved in every direction is the outcome of

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British ideals applied with British energy and a British sense of duty." I can add little to the arguments which have already been brought with great force against the proposal, but I might summarize them as follows:—

(i) It would involve the abandonment of the principle that the British character of the administration must be maintained. I cannot believe that it would be possible for a number of Indians, westernized or otherwise, to maintain that character. If the attempt were made the result would be chaos. (ii) There is nothing in the present system which violates the Statute of 1833 or the Queen's Proclamation. (iii) The cause of real education would be damaged. A number of cramming establishments would be forced into existence which would have a deleterious influence. (iv) Unsuccessful competitors would form a new class of 'failed I.C.S.' and would constitute a dangerous nucleus of discontent. (v) The examination would exlude the more virile races, and the monopoly of posts by one or two classes would give rise to grave dissatisfaction. (vi) The actual result would not be an addition to the *corps d'élite* but the creation of a privileged Indian Service with higher privileges than the Provincial Service but recruited from the same classes. Such a Service would ruin the efficiency of the Provincial Civil Service. (vii) There would be no resulting economy, as Indians themselves admit that they would not be content with smaller emoluments. (viii) The assumption that the necessity of going to England for the examination is a serious obstacle to intending candidates from outside the British Isles is not admitted—witness the large number of Indians who go to England for the Bar and for the Medical profession and for other purposes. (ix) There is absolutely no doubt that the prestige of the Indian Civil Service would be seriously impaired and the administration would lose in efficiency—a consummation which, I am convinced, would be deeply regretted by all the saner minds of India who regard the Indian Civil Service—holding, as it does, a position of impartiality above all sects and dispute—as one of India's most valuable assets.

34583 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. London as the capital of the Empire is the most suitable centre.

34584 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to this proposal. I do not consider that the system of competitive examination is suited to the conditions of India, and I am of opinion that the best method of recruiting Indians into the higher appointments is by selection from the Provincial Service. The Indians recruited by separate examination in India, even if they

drew the full pay of a civilian, would in fact only be a superior privileged Provincial Service. I agree with the opinion already expressed that the proposal, when analysed, really means the curtailment of the field of the Provincial Services in order to provide certain of the Provincial Service class with pay which is a good deal higher than is necessary to attract them to the service of Government.

34585 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so; please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any of the proposed systems. The desirability of giving representation to all classes and communities should not be taken into consideration in connection with the Indian Civil Service, which is a *corps d'élite* based entirely on efficiency and the maintenance of the British character of the administration.

34586 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Not required.

34587 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Not required.

34588 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No; I do not recommend any separate method of recruitment for the judicial branch. I agree in this matter entirely with the evidence given by Sir Arnold White and Sir Henry Curduff. Provided the civilian receives a proper training he is likely to make a better judge as the result of his knowledge of the country, especially of rural conditions. A large proportion of the administrative work falls to the lot of the civilian judge. No change should be made on theoretical grounds. Are there any practical inconveniences attached to the present system? I do not know of any which are not being removed by the more adequate training now given to civilian judges. There is no dissatisfaction in this province, so far as I know, with civilian judges; on the contrary, they are respected both by the general

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public and the Bar. The disappearance of all judicial appointments would lower the attraction of the Indian Civil Service, and the new service would also rank much lower in general estimation.

34589 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes. I am satisfied with the definition. Persons of mixed European and Indian descent and of unmixed European descent are as much entitled to be classed as "Natives of India" as Parsis or indeed any Indian community. If they are not given the privilege of "Natives of India," to what country do they belong?

34590 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am aware that there is a considerable feeling among members of my own service that the age-limits for the competitive examination should be above 18 and below 20 at the date of the examination. There are many advantages in this age-limit. A large number of men whose means do not enable them to continue their education on the chance of success in the competitive examination are excluded at present. Men who arrive in India at an age not exceeding 21 or 22 are also more easily trained and more amenable to discipline. They will fill responsible posts while they are young and energetic and are not likely to be so discontented with their promotions. I recognize the strength of these arguments, but I consider those in favour of the higher age to be the stronger on the whole. They will reach India older, more mature and more fit for responsible work; they will have completed their general education and are likely to be steadier and more self-controlled. Subject to the condition that men are enabled to take a complete Honours course at the University, I think it important that they should start work in India at as early an age as possible and that the minimum of opportunity should be given to the crammer. I would therefore reduce the age to 23 (on 1st August), which would, I understand, normally enable men to appear after taking a full Honours course. I would strongly deprecate fixing an age intermediate between the normal school-leaving age and the completion of a University course, as the result would be to drive men to the crammers.

34591 (16). What is your experience of the relative merits of the candidates selected under varying age-limits, particularly under the system in force from 1878 to 1891 (age-limits 17-19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21-23 or 22-24 years, followed by one year's probation)?—I hardly consider myself competent to express an opinion on a matter of this kind, but if these invidious comparisons are to be made, I must record my vote in favour of what Sir Henry Carnduff has called "the finished University product." Taking the average, I do not think that there is much to choose between the two lots of candidates.

34592 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I am not sure what period of recruitment is referred to, and as I am a comparatively recent recruit myself (13½ years' service) I give my opinion with diffidence. I have not noticed any deterioration among recent recruits, and in this I am supported by the observation of Sidney Low, who in his *A Vision of India* writes: "So far it does not seem that the new system has filled the Indian Civil Service with 'bounders' or weaklings, or with persons too unpolished to hold their own in the cultured society of an Indian Cantonment."

34593 (18). What is the most suitable age at which junior civilians should arrive in India?—The members of my Service generally are of the opinion that civilians should ordinarily reach India at an age not exceeding 21, which might be extended at the maximum to 22 in order to permit of a second year's probation in England. I am myself inclined to think that 24 is a better maximum.

34594 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—I am informed by my Indian friends that the present age is suitable for Natives of India. The matriculate age is 16 and the degree of B.A. is taken at about 20. A candidate can then claim a scholarship on the strength of his University career and can go to England for his training. No differentiation is recommended.

34595 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the objects should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—In regard to this question I would record my agreement with the views expressed by Sir Henry

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Carnduff and would go the length of making law a compulsory subject at the open competition. Every civilian during the greater part of his career is immediately concerned with the administration of law, and it is essential that he should have from the outset a sound grasp of at least the elements of law and its first principles. This proposal may be regarded with disfavour by the Universities, but if their resistance can be overcome I feel confident that the Civil Service will benefit by the innovation. I am not prepared to recommend any definite text-books.

34596 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are in your opinion desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of university-leaving age?—I have no changes to suggest.

34597 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No, but it may be pointed out that there is some differentiation at present, since Sanskrit and Arabic are practically never offered except by Indian candidates.

34598 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—I consider that it is desirable that the posts described in the Schedule of the Indian Civil Service Act of 1861 should continue to be reserved for the Indian Civil Service. At the same time I think it necessary that Schedule II of that Act should be amended so as to include posts of the same class in the non-regulation provinces which are at present included in the scope of the Act only by the administrative orders contained in the Secretary of State's despatch No. 81 of 1876. I consider that this statutory reservation of posts is desirable because (a) it is necessary not only to maintain but formally to declare the predominance of the British element in the administration; (b) unless the prospects of the service are guaranteed it is difficult to see how recruits are to be attracted.

34599 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—If the British character of the administration is to

be maintained, it is, I think, obvious that the number of Europeans employed in the higher posts should not be allowed to fall below a recognized minimum. In this connection I attach the greatest importance to the views expressed on behalf of the commercial community. India is on the eve of a great industrial expansion, and any measures calculated to alarm capital would cause a serious setback to the progress of the country. The inarticulate masses of India deserve some consideration as well as the small articulate section of the educated classes. I might here be permitted to quote the opinion of Lord MacDonnell, himself a Liberal in politics, expressed in April 1912 at a meeting of the Indian Section of the Royal Society of Arts. "The Central Provinces were still peopled by a homely race and the vast mass of the people were still in a very backward state of national development; and they naturally, as in other Provinces—and he hoped it would long continue to be so—looked to the district officer and the officials of Government as their best advisers and protectors in difficulty and adversity. We were living very fast in these times, but it might be possible to live too fast in matters of that description. The prestige of the English officer among the people of India still lived, and although it was right and proper that to the educated Natives of India larger spheres of activity and higher employment should be given, England must be prepared, if that policy was carried out, for a less efficient Government in India than she had hitherto demanded. She must remember that Englishmen—from the training they received in India, when brought face to face with conditions of life calling for self-reliance, resolution, readiness to meet emergencies as they arose, determination to maintain law and order at all costs, and the firm resolve to administer the law with perfect impartiality to all people—had imprinted on the administration the character which England had up to the present demanded. If such Englishmen became scarce, the same resolute action, the same freedom from local ties, the same degree of impartiality, could not be maintained in the administration. The men who would replace them would themselves be resolved and determined to act up to the lessons which they had learnt from their English colleagues, but there would not be for many years to come that freedom from influences and that impartiality which had always been the mark of the Englishmen in dealing with the Natives of India." While, however, it cannot, I think, be seriously doubted that a preponderating English element is necessary in the higher Services so long as the Government of India is English, the question of fixing a proportion is not at present of practical importance and will not arise until there is a serious danger of Indian candidates recruited in England ousting European candidates. We can leave posterity to settle its own problems.

34600 (25). Do you accept as generally satisfactory in principle the present system

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under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and, if so, what?—I accept the system as generally satisfactory in principle. But as regards the listed posts I would suggest the following modifications:—(i) The number of Indians holding listed posts should be regulated by the number admitted to the Indian Civil Service. The limitation of the number of listed posts is based on the assumption that it is necessary to preserve a minimum British element in the higher posts, and it is illogical not to take into account the proportion of Indian members of the Indian Civil Service. The increase in the latter is not likely to be so large as to make the scheme unworkable, and the Provincial Service can be compensated by improved grading. (ii) Instead of laying down a minimum which may be held by Indians I would lay down a maximum. The prescribing of a minimum is likely to render the selection of Indians up to that minimum compulsory, irrespective of whether suitable candidates are forthcoming. (iii) I think an endeavour should be made to select Indians for listed posts at a much earlier stage of service than at present. I am not prepared with a cut-and-dried scheme, as the matter is a complicated one, but I believe the Provincial Service would be gratified by the creation of a special list of probationers for listed posts. (iv) I wish strongly to emphasize the fact that no addition to the listed posts should be made till the vested interests of all members of the Indian Civil Service recruited against those posts had been satisfied.

34601 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary—(1) P. S. Patuck, 1898, Officiating Deputy Commissioner of Wardha, Rs. 1,300. (2) G. A. Khan, 1899, Officiating Deputy Commissioner of Khandwa, Rs. 1,233. (3) C. B. N. Cama, 1903, Additional Sessions Judge, Akola, Rs. 1,166. (4) B. N. De, 1906, Officiating Assistant Commissioner, 2nd class, Rs. 700. (5) G. V. Bewoor, 1912, Assistant Commissioner in training, Rs. 400.

34602 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—No, it opens the door to favouritism and there is no demand for its revival.

34603 (29). What experience have you had of military or other officers who have been

specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (i) military officers, and (ii) others; and give details of the latter.—(i) *Military Officers*—Colonel Colomb; Colonel Horsburgh; Colonel Manduit; Major Morris; Major Plowden, are all members of the old Berar Commission still in the service. (ii) *Others*—(a) Mr. H. R. Crosthwaite, specially appointed to the Central Provinces Commission by the Secretary of State in 1900.

(b) Mr. F. W. A. Prideaux	} members of the old Berar Commission.
(c) Mr. A. C. Currie	
(d) Mr. F. C. Crawford	
(e) Mr. A. D. St. Barr	} Indian members of the old Berar Commission.
(f) S. Muin-ud-din Khan	
(g) K. S. Jatar	

34604 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—No, I would not advise its re-introduction. The administration is daily becoming a more difficult and complex matter, and a trained mind is required to deal with the work. The patriarchal system of administration in which military officers excel is dying out. The present system of recruiting provides suitable officers and there is no need to tap any other source.

34605 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—Not required.

34606 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—No, the figures are quite incorrect. The listed posts are really 2 Deputy Commissionerships; 2 Divisional Judgeships; 2 Deputy Commissionerships or Divisional Judgeships. Two Assistant Commissionerships cannot be listed—the phrase is meaningless: under the scientific system of recruitment the number of Assistant Commissioners is fixed solely with a view to the number of superior appointments open to Indian Civilians. The figures given for the listed posts above are not final as I believe that the whole question is under consideration.

34607 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of

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India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the listed posts have always been filled by "Natives of India" except for very short periods, when it was found more convenient to put in members of the Indian Civil Service. The balance of advantage is in favour of the Provincial Civil Service as a member of that Service occupied for some time a post reserved for the Indian Civil Service.

34608 (35). To what extent also during the last five years have these listed posts been filled (a) by members of the Provincial Civil Service; (b) by other "Natives of India"? Please give the names and positions of the latter, if any?—During the last five years the listed posts have always been filled by members of the Provincial Civil Service.

34609 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—This power has not been regularly exercised, but Mr. H. J. Stanyon was appointed to the listed post of Divisional and Sessions Judge in 1897. There are now six listed posts, but three of them belonging to Berar cannot be filled by non-members of the Commission till the retirement of Messrs. Rustomji, Muin-ud-din and Jatar. The three Central Provinces posts are now held by Provincial Service men and the three-fourths rule precludes their being given to any other "Native of India."

34610 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The merging of the inferior listed posts in the Provincial Civil Service has satisfied to a great extent the aspiration of the educated classes to share in the administration of the country. It is in accordance with the recommendations of the last Public Service Commission that the recruitment of the official staff in England should be curtailed and advantage taken of qualified agency obtainable in India.

34611 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The listed posts are, I believe, under consideration and no definite pronouncement has yet been made. My opinion on the general question is as follows:—The administration of a province offers a close analogy to the management of a large business; and if it is the fact that in commerce and industry, where race sentiment counts for little, competent European supervision is considered essential, it is only reasonable to suppose that this element is even more necessary

in the general administration of the country. I desire strongly to emphasize the fact that an Englishman has much more power of controlling subordinates than an Indian. I would also draw attention to the existence in this province of a considerable number of aboriginal races, and as regards the success of Englishmen in dealing with such races. I might quote Lord Cromer, who in his "Ancient and Modern Imperialism" writes as follows: "My own experience leads me to the conclusion that the British generally, though they succeed less well when once the full tide of education has set in, possess in a very high degree the power of acquiring the sympathy and confidence of any primitive races with which they are brought in contact." Assuming the retention of the system of listing posts I am strongly of opinion that a larger proportion of the listed posts should be in the Judicial than in the Executive branch of the Service. The greater aptitude of Indians for Judicial than Executive work is generally admitted, and however good a man he may be, an Indian cannot, as Head of a District, command the same influence as an Englishman. He is liable to be brought into contact with members of other services such as the police, forests, public works, and he finds himself in a false position. The loyalty and discipline of the various services prevent real unpleasantness as a rule, but the strain is very great. I regret very much that I should have to draw attention to this aspect of the matter, but I think it important that it should not be lost sight of. I am also absolutely convinced that the governed—both the educated classes and the cultivators—far prefer to see an Englishman at the head of the District, and I consider it not unreasonable that some weight should be given to that feeling even if it is proved to be an unreasonable and illogical feeling. I hope that these remarks will not in any way be interpreted as reflecting on the capacity of the Indian members of the Indian Civil Service who are in charge of Districts, especially as in this particular case the Indians happen to be friends of mine. But they themselves would be the first to admit—though I trust the question will not be put to them—that they are to some extent handicapped by virtue of their nationality. To come now to actual figures, there are I believe 46 superior posts in this province, and I understand that this number is likely to be raised to 52 by the revision of the Judicial posts. There are five Indian members of the Civil Service, three of whom are already occupying superior posts and another will soon reach that stage. I would fix 20 per cent. as the maximum number of superior posts which could be held by Indians, whether recruited from England or appointed in India. Giving the Indians the benefit of the fraction, the number of posts open to them would be 11 out of 52. I would allocate these posts among the executive and judicial departments as follow:—4 Deputy Commissionerships and 7 Judgeships. The

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local Administration will distribute the Indian members of the Indian Civil Service in such a way as to leave a fair proportion of both executive and judicial posts to the Provincial Service. The drawbacks to this scheme, it may be urged, are (a) that it will offend the Indian members of the Indian Civil Service by making their appointments to a particular branch depend on racial considerations, (b) that an increase in the number of Indian members of the Indian Civil Service will necessitate a decrease in the number of posts open to the Provincial Service. I recognize the weight of both these objections, but I think my scheme will meet the practical needs of the moment and if worked tactfully can cause no offence. I must also point out that 20 per cent. is a very liberal figure and goes beyond the recommendations of the last Public Service Commission, whose proposals were designed to secure the necessary elements of finality. I would also suggest that the Royal Commission should make it unmistakably clear that this is the last word on the subject, and that no further advance will be made. Any advance would, in my opinion, be inconsistent with the maintenance of the British character of the administration.

34612 (40). Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None so far as I know.

34613 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—Not so far as I know.

34614 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The only point which I wish strongly to emphasize is that some definite assurance shall be given to every recruit to the Indian Civil Service that not a single one of the posts on the basis of which he was recruited shall be given away to any other department till his vested interests have been satisfied. I must draw the attention of the Commission to the fact that considerable alarm prevails among the junior ranks with regard to this question.

34615 (43). What is your experience of results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of the system?—I recommend the continuation of the system.

34616 (44). What should be the duration of the probationer's course in England (a)

under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—(a) I have recommended only a slight alteration in the present system, and I consider that one year's probation is required. Men of 24 are tired of training and are keen to get to work.

34617 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, I consider this most desirable. I have never heard any member of the Civil Service question its desirability.

34618 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—If it could be arranged I should prefer that all probationers should be concentrated at one University for their period of probation, and should be brought together as much as possible. It is important that probationers should have their attention concentrated on Indian interests as rapidly as possible and should leave behind them their separate college interests. The selection of the University constitutes the practical difficulty in the way of carrying out this arrangement and I am afraid it will be difficult to overcome. Like Sir Arnold White, I attach great importance to residence at Oxford or Cambridge as these Universities provide a more braoding intellectual, moral and social atmosphere than any other type of University. Probationers who came from the younger Universities have frequently expressed their appreciation of the great benefits derived from their year's residence at Oxford or Cambridge.

34619 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I recommend that a probationer should receive £150 a year and a first-class passage to India. The allowance should be paid quarterly subject to certificates from the University authorities that the probationer is making suitable progress in his studies.

34620 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No, I hardly think the expenditure could be justified.

34621 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes, I accept this principle for candidates who pass the examination after completing a University course. But for the candidates of a younger age the period of probation should

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allow both for the completion of their general education and for the special studies suited for their career in India.

34622 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?—(a) What an officer ought to be equipped with on his first arrival in India are, in my opinion, the following:—(i) A familiarity with the working of the English Law Courts. (ii) A grounding in the grammar of languages of the province to which he is posted. (iii) Some acquaintance with Hindu and Muhammadan Law. (iv) The power to find his way about the Penal Code, the Criminal Procedure Code and the Evidence Act. As regards (i) this can be secured by requiring attendance at Law Courts and reporting of cases. I am strongly of opinion that this training will be most beneficial to the probationer. (ii). Probationers should be posted at once to the Central Provinces, which should no longer be lumped together with the Punjab and United Provinces. The grounding should be in Marathi and Hindi. (iii) I would make Hindu and Muhammadan Law a compulsory subject and the examination should be without books. (iv) I would change the examination in the Codes to a simple one with books. A parrot-like acquaintance with these Codes is of no practical value and they can only be learnt in India by practice in the Courts. I have made these suggestions on the assumption that my proposal to make law a compulsory subject in the open competition is adopted. I trust that the curriculum suggested is not too heavy. I must sound a note of warning against the danger of overworking probationers, who should arrive fresh and not stale in India. Men embarking on an Indian career have much to do during their last year in England and I think they may be left to read Indian History and Political Economy for themselves.

34623 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England, and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—(i) See answer to question (51). (ii) I agree as regards the teaching of Indian Law, but the general principles of jurisprudence should fall under a compulsory subject in the open competition. (iii) I am strongly of opinion that the foundations of a knowledge of the Indian languages should be laid in England, but no very serious attempt need be made at colloquial instruction.

I do not think that (iv) is necessary, as probationers must not be overworked.

34624 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I am strongly of opinion that the probationary period must be spent in England. The fact must not be lost sight of that it is possible for a man to go to England for the examination without any preliminary residence or training in England. I must also note that it is undesirable to ship off a probationer to India immediately after he has undergone the strain of a severe examination. Some period for rest and preparation for his new career is required.

34625 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am absolutely opposed to this. I consider that the time, though perhaps not entirely wasted, could at any rate be much better spent. It must be remembered that the average Indian civilian will spend not more than 21–25 years in active service in India, and I consider that every moment deducted from that period involves the loss of opportunities of acquiring valuable practical experience. I consider it essential that every young civilian should acquire as soon as possible an insight into rural conditions in India, and this he cannot do in a large centre. Time spent in Calcutta, for instance, might, in my opinion, be just as well spent in London.

34626 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—For the reasons given in answer to question (54), I am absolutely opposed to this. Too much training may create philosophers, but will mar the practical administrator.

34627 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—This is a subject in which there is some diversity of opinion, but I am myself in entire agreement with the view of the Treasury Committee. I am convinced that arduous study in the plains of India is quite impossible except to a very few exceptional men, and I doubt whether any suitable scheme could be devised. As regards law, if

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my suggestion to make it a compulsory subject at the open competition is adopted, junior civilians after their year of probation should arrive in India with a fair equipment. As regards languages, I consider that the thorough grounding which is an essential preliminary to the acquisition of any real knowledge of a language can best be acquired in the more scholarly atmosphere of England. I attach great importance to this grounding. What will subsequently be built on this foundation depends largely on the officer's personal tastes.

34628 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is required.

34629 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—On the whole, I consider that the present arrangements are satisfactory. Much attention has been given to this matter of late years in these provinces. Men are kept for a few weeks at head-quarters to enable them to get an insight into Indian conditions and are then sent to a selected Deputy Commissioner who is aware of his responsibility for their training. I must draw attention to the fact that men of 24 are no longer school-boys and are anxious to get to work. In my opinion the best way to train a man is to put him to work as quickly as possible. I am sure that the average man after his years of training and examination derives an acute pleasure from the first practical work he is given to do, however simple it may be.

34630 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Yes, the examinations have been changed from time to time, and I consider them now to be fairly suitable. The directions in which I should like to see further change are—(a) the elimination of all law examinations in which books are not allowed. All that is required is to see that candidates are able to find their way about the codes. No officer would work without constant reference to the codes and the committing of sections to memory is, in my opinion, an absolute waste of time, and prevents an officer devoting to languages the time they really require. (b) The raising of the standard of the language examinations. There should be two standards. The lower standard should be 50 per cent. and the higher standard 75 per cent. of the full marks assigned to each paper. No increment in pay should be given till the Higher Standard had been attained in one language. Four years should be allowed for attaining the Higher Standard in both examinations. No increment in pay should

be given after four years till both languages had been passed.

34631 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am not prepared to admit the alleged deterioration, and I consider that the cry proceeds largely from that tendency to glorify the past which is so common. In this I am supported by Mr. Sidnev Low, who in his book *A Vision of India* writes: "One is often told that the latter-day civilians are not nearly so well acquainted with the vernacular as their forerunners. But the suggestion is probably quite unwarranted. The older civilian had a rough knowledge of the colloquial speech of his province, picked up from his servants and his Native subordinates, but he had seldom studied the language accurately and grammatically as the young officials are now compelled to do." I do not, however, maintain that European members of the Civil Service possess an adequate knowledge of the language. The most urgent remedy in connection with the Central Provinces and Berar is that an officer should be immediately posted to this province after passing the open competition. He will then be able to get a thorough grounding both in Hindi and Marathi, before he reaches India. My own time was wasted in learning Urdu and Persian. After arrival in India the officers under whom the young civilian is posted should be made responsible for his continuing his literary study of the language and acquiring a colloquial knowledge. An increment in salary should only be given on condition of passing an examination in one of the two languages, Hindi or Marathi. For the second language I would allow four years, and after that time I would stop all increments of salary till both languages had been passed. The local Administration must be responsible for seeing that an officer is posted to a district in which he has an opportunity of learning the language.

34632 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—To encourage the study I recommend (a) the provision of a proficiency grade less stiff than the present High Proficiency Standard, (b) the increase of rewards, (c) the grant of language leave.

34633 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe and, if so, what course of study (course for a

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call to the Bar, reading in Barristers' chambers or other), and what conditions do you propose?—I agree entirely with the opinions expressed by the Bengal witnesses, Sir H. Carnduff and Mr. H. T. Cullis. At the same time I must point out that in this province officers selected for the Judicial branch are now given a very good practical training before they are appointed District Judges. I would make the following recommendations: (i) I would make law a compulsory subject at the open competition and would allot high marks to a further and more advanced optional paper in it. (ii) I would encourage probationers to be called to the Bar. (iii) Officers should be selected for the Judicial branch after four years' service in the general line. (iv) They should then be appointed sub-judges for a year to deal with original civil work. (v) They should be granted study leave for one year to read in Barristers' chambers; they should also be required to read for the Bar, since membership of the Bar is a distinct advantage to a Judge in his relations with Indian barristers. (vi) They should be given substantial pecuniary assistance in order to go through this course. I am not prepared with a detailed scheme.

34634 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No, in India the best training is the practical work of the courts combined with such private reading as time permits.

34635 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No, they should be treated exactly alike.

34636 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No, they should be treated exactly alike.

34637 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (a) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change?

What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept this system. It is the very basis of the organization of the Civil Service and should not be lightly tampered with. I consider that the period of eight years is suitable, but with the present age of recruitment it should be regarded as an absolute maximum. An officer at the end of eight years' service will have reached the age of thirty-two or thirty-three. It is hardly necessary to argue that India is essentially a young man's country and all the most successful administrators have been young men. I believe that this is also the experience of commercial houses that the best work is got out of men between the ages of thirty and forty-five. If the age of recruitment were lowered I would make no change. Eight years affords ample time for training in subordinate posts, and retention too long in subordinate posts has a marked effect on an officer's initiative.

34638 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—The time-scale suggested by me is in accordance with this system, and I accept the arrangement as suitable.

34639 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total net number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what, has been caused thereby to the Administration?—The statement is, I understand, being supplied by the Chief Secretary, and it is unnecessary. I think, for me to insert it. Suffice it for me to say that at the time of writing there are no less than sixteen officers who have failed to obtain promotion in accordance with the principles set forth already. The inconveniences caused to the Administration by this serious congestion are: (a) The Administration is obliged to employ men on inferior work who are fitted for more responsible duties. (b) The officers affected form a discontented nucleus, the existence of which cannot but react unfavourably on the whole Administration.

34640 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar*=H, which have been reproduced in Appendix VII, to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—The statement is incorrect in showing 6 Deputy Commissioners on Rs. 2,250, and the footnote is incorrect in including the Inspector-General of Police

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among those Deputy Commissioners. The Inspector-General of Police is selected from the ranks of Deputy Commissioners, is seconded and draws the pay of his grade *plus* a local allowance of Rs. 450 subject to a maximum of Rs. 2,500. There are only 4 Deputy Commissioners on Rs. 2,250 (3 first-class Deputy Commissioners of Berar list draw Rs. 1,833-5-4). The Central Provinces grading is far inferior to that of other provinces, but the statement makes it appear much better than it is.

34641 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—No difficulty is experienced so far as I am aware. All the posts entered as superior do not carry a salary of more than Rs. 1,000 *per mensem*. Four appointments of Settlement Officers have been included, whereas in actual practice these appointments are held by officers who ordinarily do not draw more than Rs. 1,000, *i.e.*, the pay of their grade *plus* an allowance of Rs. 150. The same is the case with regard to the appointment of Registrar, Co-operative Credit Societies. If my proposals for a time-scale system of pay are adopted these difficulties will ordinarily not arise. But if the present grading system is maintained then I am strongly of opinion that these five posts must both be classed as superior and paid as superior posts. They are all posts of the highest responsibility, and the work is at least as hard as that of most Deputy Commissionerships. I would suggest that they all be paid at the rate of the lowest grade of Deputy Commissionership. It must also be pointed out that the posts of the Inspector-General of Police and the Director of Agriculture, though ordinarily held, by members of the Indian Civil Service, may also be held by an officer of the Police and Agricultural Department respectively.

34642 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. (Attention is invited in this connexion to List J in Appendix VII to these questions)?—Yes, I believe it roughly corresponds, and I have no change to suggest.

34643 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—Yes, it almost precisely corresponds so far as I read the figures.

34644 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade work satisfactorily? If not, what change of practice appears to you to be necessary?—The unsatisfactory part of the arrangement is that if the temporary post disappears, the officer recruited in the lowest grade against the temporary post remains in excess; that is to say, an officer recruited on the basis of a certain number of posts finds that with the removal of one of those posts his chance of reaching a responsible position in this a reasonable period is diminished. This is a most inequitable result likely to lead to great discontent.

34645 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—There is an excess of junior officers, but I do not attribute this to the allowance having been wrongly fixed but to the unsatisfactory nature of the present scientific system of recruitment and its working in the past. Taking 51 as the number of superior posts, the lower ranks should contain 48 men; actually they contain 61 men. Taking 46 as the real number of superior posts, the lower ranks should contain 43; actually they contain 61. There is thus an excess of 13 or 18 men.

34646 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Yes, this approximates fairly closely to actual conditions.

34647 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts and 6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—I have already stated in my answer to question (109) that it might be possible by a change in the leave rules to reduce the percentage required for a leave reserve. I am unable to criticise these percentages.

34648 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—I am sure that the annual decremental rate of 4·17 per cent. on the total strength of the service is far from corresponding with the actual experience of the last 20 years, but I am unable in the time at my disposal to work out the actual facts. If my rule regarding retirement after 25 years' service were adopted, I am sure that a much closer approximation could be obtained.

34649 (84). Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which

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may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—No, the theoretical strength of the service falls considerably short of the actual strength. There is a large excess of officers in the lower ranks. There are really only 46 superior posts as follows:—

Normal number	51
Deduct listed posts	-6
Add Government of India posts	+4
Add 4 per cent. for deputation	+2
Deduct 4 Settlement Officerships and Registrar, Co-operative Credit Societies	-5
Net total	46

Under the scientific scheme of recruitment the strength of the Commission should be 194·5 per cent. of the superior posts. The Central Provinces and Berar Commission should contain 89 men, of whom 43 would be in excess of the number of superior posts properly so called. Actually the Commission has a strength of 107 men or 61 over and above the 46 superior posts. The lower ranks contain 61 men; they should only contain 43. The excess of men in the lower ranks is due to three main reasons: (i) Over-recruitment. (ii) The assumption for purposes of recruitment of a list of superior posts containing several posts which ought not to be classed as superior at all, since it is the exception and not the rule for the officers holding them to receive salary amounting to Rs. 1,000 a month. (iii) The recent and sudden curtailment of this list of superior posts by the "listing" of three posts. This in effect amounts to the taking away from junior civilians all hope of filling certain posts, which at the time of their recruitment, were included in the list of those to fill which they were recruited. I beg to press strongly for a reconsideration of the decision to list these three posts; it has caused a great deal of heart-burning among the officers affected, who see the posts which they had been expecting to fill suddenly snatched away from them without the slightest regard being paid to their vested interests.

34650 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—No, I do not consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion. The interval is too long, and even after the examination has disclosed the existence of stagnation in promotion, the movements of the Government of India and the India Office are so slow that relief rarely reaches those who have been most affected by the block. I may also note that the last quinquennial examination did not extend to this province, thereby causing a serious miscarriage of justice, as a number of officers to whom relief would probably have been given have

suffered serious loss. If my suggestion of a time-scale is adopted, the quinquennial examination would be reduced to a very simple matter. All that would be necessary would be for Local Governments to report if the annual recruitment secured the attainment of responsible posts by recruits within a reasonable period.

34651 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?—The annual indent is regulated according to a certain percentage of the sanctioned strength of the Commission. If the sanctioned strength is incorrectly calculated, then the annual indent will necessarily be either in excess or defect. I do not recommend any alterations because I believe if more care were taken in arriving at a proper figure for the sanctioned strength, fairly accurate results would be obtained by present methods.

34652 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am satisfied with the existing system of promotion. Regarding selection for higher appointments the orders of the Government of India are being followed in this Province. For the compulsory retirement of inefficient officers see my answer to question (124).

34653 (88). To what extent are the functions of the officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The functions are differentiated on the Civil side only. I do not consider that any change is desirable. The question of the separation of the judicial and the executive has never assumed any prominence in this Province, and I have never heard any educated Native take exception to the present arrangements. English administrators have the reputation of avoiding all changes based merely on theoretical grounds, and until I am satisfied that some concrete evils arise out of the existing system I would consider any change beyond the pale of serious discussion. As a Settlement Officer I may perhaps be permitted to act as the spokesman of the inarticulate masses. They with one voice would cry out against any more elaborations in the administration—they are not theorists, but simple practical men who have a considerable appreciation of strong and vigorous administration. Any reduction in the power or influence of the Head of the District would be accompanied by a general slackening of the administration—in fact I would go so far as to say that it would be the signal for an outburst of crime which would be strongly resented by the patient and silent cultivators.

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34654 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—In the time at my disposal I have not been able to check these two statements, but I believe them to be approximately correct.

34655 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present rates of pay and grading are quite unsuitable. I am strongly in favour of a time-scale system and would abolish the present method of grading altogether. But if this proposal is not approved, then I must be permitted to call attention to the following facts:—(i) The grading of the Indian Civil Service in these provinces is indefensible, and this matter has been repeatedly represented by the Local Administration. (ii) The pay of the Indian Civil Service is also regulated on a scale inferior to that in any other Province. (iii) This disparity is all the more marked because of the absence of the prizes to which officers in other Provinces may aspire. (iv) The inferiority of pay and grading is simply due to the historical reason that the Province was originally manned by a mixed Commission of military and uncovenanted officers with a small sprinkling of officers of the Indian Civil Service obtained from other parts of India or intermittently recruited. The Commission is now, however, with a few exceptions, composed of Covenanted Civilians, and in future recruitment will be confined to covenanted officers; there is therefore no longer any reason why the pay of the Central Provinces Commission should be regulated by a scale inferior to that enjoyed in any other Province. (v) The Government of India themselves in 1891 and in 1899 recognized that the existing grading and pay were only temporary, and the Secretary of State has affirmed the absolute right of the members of the Central Provinces Commission to a scheme of pay and grading equal to those in other parts of India. (vi) The pay of other Imperial services in the Central Provinces does not differ from that in other Provinces. (vii) The Central Provinces can no longer be regarded as an unimportant region for which a cheap and second-rate administration is suitable. This is not a matter requiring much argument, but I would like to draw attention to a lecture on the Central Provinces delivered by Sir John Miller before the Royal Society of Arts on April 25th, 1912, which gives a luminous account of the progress made in recent years. (viii) The delay that has taken place in redressing the grievances of the officers of this Province is causing the gravest discontent which cannot but affect the efficiency of the administration. I would beg to call the attention of the Royal Commission to the need of very early relief, and would venture to ask that a preliminary report on the Central Provinces Commission may be submitted during the current year. The altera-

tions in the grading and pay I suggest are as follows:—

	Rs.
5 Commissioners on	2,750
17 First-Class Deputy Commissioners on	2,250
16 Second-Class Deputy Commissioners on	1,800
10 First-Class Assistant Commissioners on	900
10 Second-Class Assistant Commissioners on	700

34656 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—It relates to the pay and grading of the higher posts and to the grading of the lower posts.

34657 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the Provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—I consider it most desirable that there should be uniformity of payment for similar kinds of work in all the Provinces. The greatest dissatisfaction exists on this score in the Central Provinces, as already pointed out in the answer to question (92). Such differentiation cannot but be regarded as inequitable and invidious. Men entering the Indian Civil Service are not allowed to select their province, though they may indicate a preference, and they are naturally aggrieved when they find themselves in receipt of salaries considerably inferior to those drawn by their contemporaries in other provinces. There is absolutely no reason save an historical one for this differentiation. The expenses of a European mode of life are just as high as in other parts of India—indeed it is not an exaggeration to say that a portion of the Central Provinces and Berar (I refer to the cotton juari tracts) constitutes the most expensive part of India. Each province has its attractions, each has its drawbacks, and in the Secretary of State's despatch No. 25 of the 8th March 1900 the principle was solemnly reaffirmed that all the Commissions in India offered by members of the Indian Civil Service should be placed on an approximate equality as regards pay and prospects as far as the general line was concerned.

34658 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—If the time-scale suggested by me is adopted, then I would be prepared to drop the exchange compensation allowance. I would have the same rates of pay for all members of the Indian Civil Service, Indian or otherwise.

34659 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—The system of acting allowances works extremely badly. It is no longer true to say that acting allowances are given to officers officiating in appointments involving

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increased responsibility. It can neither be said of a Deputy Commissioner nor of an Assistant Commissioner for instance that acting in a superior grade involves increased responsibilities. Whatever it may have been originally, the system has degenerated into an inferior species of time-scale which causes enormous inconvenience both to the office which has to control it and to the officers who suffer by it. A glance at a few issues of the *Central Provinces Gazette* would convince even the most ignorant of the absurdity of the present system. An officer's pay may vary four or five times within a single month, and unless he is an expert on the Civil Service Regulations it is impossible for him to foresee what pay he will be drawing at any particular time. The Civil Service Regulations are like a Chinese puzzle; they are full of subtle differences between permanent, acting, provisional and *sub: pro tempore* promotions which the ordinary layman finds it difficult to follow. Another grievance is caused by the retrenchment system, which is the inevitable accompaniment of acting allowances. I have known two recent cases in which married officers with families were called upon to retrench large sums which they had already spent. No large business concern would pay its employés on this system, which is absolutely indefensible. It may be asked, if the system is so bad, why have not its defects been brought to light before? The reply is that so long as officers enjoy a fair measure of promotion, they are not likely to complain of the system which gives it them, but as soon as a block supervenes its absurdities become manifest.

34660 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The grade promotion is given whenever a temporary vacancy occurs owing to the absence of a senior officer on leave or otherwise. The system is quite futile except in so far as by securing acting allowances it acts as a species of inferior time-scale. The absurdity of the system is shown when we have an officer acting as a Deputy Commissioner continuously for eight years who has never drawn the pay of a Deputy Commissioner and has never reached the grade of a Deputy Commissioner. I would recommend the abolition of the system altogether.

34661 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am entirely in favour of the substitution of a time-scale of salary for the present graded system. The existing graded system actually works as a time-scale but so arbitrarily and capriciously that it creates nothing but discontent. The theory that bad promotion at one stage of service is compensated by good promotion at another stage is

absolutely false in fact, and it is inequitable that the promotion of a body of men like the Indian Civil Service should be the sport of chance and that members of the same service should draw far different rates of pay for doing exactly the same work at the same period of service. I would also draw attention to the unpleasantness that is caused by what may be termed 'waiting for dead men's shoes'—it is preposterous that an officer's chances in life should depend on the number of his seniors who die or who choose to retire. There is nothing more deadly to keenness and efficiency than the knowledge that a man's efforts will not advance him a scrap owing to a hopeless block above him.

34662 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—I have been watching the working of time-scales of pay in the case of the Imperial Forest Service and the Finance (or Accounts) Service. No practical difficulties have, so far as I am aware, arisen in connection with the working of the system; on the other hand, the change has produced content where discontent was rife before.

34663 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances, and other matters of importance. How do you propose to apply such time-scale in Provinces where the scale of pay of the judicial and executive branches of the service is different?—In a Resolution of the Government of India (F. D. No. 2485-E. F. A., dated 1st September 1911) dealing with the reconstitution of the pay of the officers serving in the Political Department on the basis of a time-scale, it is stated that "the time-scale of pay has been calculated at a rate which will give practically the emoluments which they might expect to draw in the Provinces." This scale I accept as reasonable. It should include all those appointments of which the emoluments are less than Rs. 2,500 *per mensem*, and should be without prejudice to those local, personal and deputation allowances which are at present in existence and attached to certain appointments. The scheme is set forth in the table appended, but its main features may here be briefly emphasized. These are: (a) A time-scale rate of pay for officers drawing less than Rs. 2,500 adapted from the Political Department scale which has been admitted to be reasonable both by the Government of India and the Secretary of State. (b) A single class of Rs. 35,000 *per annum* for Commissioners so as to bring their emoluments into line with similar officers similarly placed in the other Provinces of India. (c) A maximum limit of Rs. 1,500 *per annum* to be set to the pay of any officer who is not put in charge of a district, but every officer who is put in charge of a district before the completion of his 12th year to receive a monthly charge allowance of Rs. 300 subject to a minimum payment in each case of Rs. 1,250 *per mensem* and a maximum of

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Rs. 1,500. This scheme does not involve a simple time-scale of pay right through an officer's service. It is recognised that the encouragement of efficiency demands that after a certain point an increase of pay should not depend merely on an officer's increasing age, but should also at certain stages of his service be regulated by his capacity to hold charge of more important duties. I would make the scale applicable to both judicial and executive branches of the Service, as I see no valid reason for distinguishing between them. The rules in force in other services for regulating the grant of increments work, I understand, quite well and could be introduced for the Indian Civil Service. I can foresee no other difficulties in connection with the working of the scheme. I beg to draw the attention of the Royal Commission to the necessity of early relief in the direction indicated. A real and undesirable injustice exists which calls for redress with the least possible delay. There is a serious danger of creating a sullen and discontented Civil Service in this Province, and this danger will only be removed by the grant of adequate relief (*i.e.*, not below the scale indicated) at a reasonably early date.

*Proposed scale of pay for members of the
Central Provinces Commission.*

Years of service.		Per mensem. Rs.	
1	(1)	450	(1) An increase of Rs. 50 in the
2		550	initial pay is recommended.
3		600	This to be raised to Rs. 600
4		650	after the officer has passed
5		700	his Departmental examinations
6		750	in law and in one language.
7		850	
8		950	
9		1,050	
10		1,150	
11		1,250	
12	(2)	1,500	(2) No officer not in charge of a
13		1,600	district to draw more than
14		1,700	Rs. 1,500 per mensem, even
15		1,800	though he may have com-
16		1,950	pleted 12 or more than 12
17		2,050	years' service. But any
18		2,150	officer whose pay is less than
19		2,250	Rs. 1,500 who is put in charge
20		2,350	of a district to receive a
21		2,400	charge allowance of Rs. 300
22		2,400	per mensem with a minimum
23		2,400	pay in each case of Rs. 1,250
24			and a maximum of Rs. 1,500.

All Commissioners to receive Rs. 35,000 *per annum*. There are only 5 Commissionerships in these Provinces. Appointment to these posts is in future to be made strictly by selection. There is therefore every reason why they should be kept in a single class.

34664 (103). If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I consider it not only

desirable but absolutely essential that all members of the Indian Civil Service should have the prospect of rising to posts of independent responsibility within a reasonable time. The organization of the service as a *corps d'élite* is based on this principle, and it is a commonplace that the retention of an officer for too long a period in a subordinate capacity tends to impair his power of initiative. 'Too old at fifty' is, I believe, an axiom with regard to the plains of India. From the age of 30 or 32 all members of the Indian Civil Service should be holding posts of independent responsibility. The factors to be considered are so numerous and subject to such variation that no scientific system of recruitment can be devised which will enable every officer to attain a post of responsibility at exactly the same period of service. But if some care is taken to adapt the recruitment to the real number of superior posts, and if no reduction in those posts is made till the vested interests of every officer recruited to fill those posts have been satisfied, then I think the present system might well continue, subject to periodical scrutiny of the various percentages used in the calculations at the hands of an expert. I would also record my opinion that it is much better to under-recruit than over-recruit, and where there is any doubt as to the exact number required, the lower figure should be taken. It is better that the administration should suffer from a slight shortage of officers than that a state of discontent should prevail.

34665 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I suggest that officers holding listed posts should draw pay at the same rate as the pay drawn in the same posts by members of the Indian Civil Service. It is essential that persons holding the listed posts should live in the European style and maintain their position socially. They should also spend a portion of their leave outside India and thus widen their outlook. In many cases also they will wish to give their children a European education. I also consider it important that persons holding listed posts should not feel themselves in a position of inferiority to their colleagues in the Commission. I admit that my view is not quite consistent with the opinion expressed in the reply to question (27) that the listed post system cannot be justified on grounds of efficiency, but after much consideration I have come to the conclusion that both views are sound.

34666 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Officers take less leave because the furlough allowances are inadequate.

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34667 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—I have not accurate statistics on this point, but my impression is that all the leave on full pay due to them is not ordinarily taken by officers of the Indian Civil Service. The reason is fairly well known. Officers cannot, as a rule, afford to take leave on their furlough allowances, hence they try to accumulate the full amount of leave on full pay possible, *viz.*, three months. Having accumulated it, they find for various reasons that it is impossible or inconvenient for them to take it, and hence a portion of it is lost. The power of combining privilege leave with furlough has not reduced the loss to any appreciable extent, as the inadequacy of the furlough allowances acts as a bar even to the taking of combined leave. I consider the amount which can be earned suitable, but I would forbid its accumulation on the ground that it is absolutely essential to the proper health and efficiency of an officer that he should take a holiday every year. At present many officers know nothing of India beyond the borders of their own province, and a month's leave each year would give them the opportunity of widening their knowledge and broadening their views. It is, however, absolutely out of the question to take away this privilege of accumulating leave on full pay without giving some adequate compensation. The compensation suggested is given in the answer to question (109).

34668 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Officers do, I believe, on the whole take less furlough because they cannot afford it. At the same time I am strongly opposed to any reduction in the total amount permissible, because a certain proportion of officers do take the maximum, and the system which allows of an officer keeping a reserve of furlough in hand against emergencies is a sound one.

34669 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I consider that the rates of furlough allowances are unsuitable and would put forward the following proposals both as a remedy for the inadequacy of the allowances and as compensation for the loss of the power to accumulate privilege leave. It may be assumed that every officer needs about 3 months' leave every fourth year. The present rules entitle him to more, but the inadequacy of the leave allowances prevents him availing himself of it. If he were allowed his leave on full pay there can be no doubt that he would invariably take it as soon as he could get it. My proposal then is that furlough on full pay should be earned at the rate of one month on every six months' active service, making a total of 3 years and 7

months' furlough earned in a total service of 25 years. Thus every officer after 3½ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay, when he could go home and have a thorough change. The leave would, of course, have to be taken at such a time as might be convenient to the administration; an officer could not be allowed to claim his leave at a particular time convenient to himself, but would have to take it when he could get it and would even be liable to be sent on leave when he did not want to go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another. Under this scheme privilege leave at the rate of a month a year and furlough on full pay as explained above would be the only kinds of leave ordinarily allowed, but it would be necessary to provide for the grant of special leave either for ill-health or for urgent private affairs. Such special leave would in the case of urgent private affairs not exceed 6 months, while leave on medical certificate would be for such period as the medical officer might declare necessary; in either case the leave would be on half pay only. Under this system the total amount of furlough on full pay to be enjoyed by an officer in 25 years' service would be 3 years and 7 months. This is not an unreasonable amount of leave and should ordinarily suffice. Should, however, in any individual case more leave be required, it will always be open to an officer to take it on half pay as at present. It is also probable that under this scheme the number of officers on leave at one time would not exceed 14 per cent. of the strength, and it would thus be possible to reduce the leave reserve by 6 per cent. The scheme will, I think, be of the greatest benefit both to the administration and to the officers concerned. To the administration it will secure the maximum efficiency of the officers and will tend to reduce the long absences for as much as two years at a time. To the officers it will ensure that they have sufficient opportunities of relaxation and change of climate and sufficient means at their disposal to take advantage of it.

34670 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privileged rate of exchange of 1s. 6d. the rupee? If so, what change?—I would press for equal treatment with other services, *viz.*, a privileged rate of 1s. 9d. This would improve the rate of furlough allowances at present felt to be inadequate.

34671 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees and, if so, what

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change?—I am unable to see why furlough allowances should be subject to a maximum of £1,000. I would advocate half pay in all cases subject to a minimum of £500.

34672 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so, what, and what remedy do you suggest?—The present leave rules do cause inconvenience to the Administration because they are too rigid and leave too little discretion in their application to the Head of the Administration. The province should be run on business principles, and the Head of the Administration should be allowed to let his officers take leave (provided they have earned it) according to their mutual convenience. The rule permitting only 20 per cent. of all the officers of a commission being on leave at one time appears to me to fetter the local Administration's discretion quite unnecessarily. Leave is sometimes refused on account of this rule although there may be ample men of adequate service to fill all the posts, and the rule operates as a hardship when a severe block in promotion prevails.

34673 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and, if so, how can this difficulty be met?—Transfers can no longer be called excessive in the Central Provinces and Berar, but it is certainly true that the little discretion left with the local Administration in the matter of granting leave occasionally necessitates a transfer which might have been avoided.

34674 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves, and, if so, in what respects? What is, in your opinion, the appropriate remedy?—Yes, the present leave rules do press hardly on officers of the Indian Civil Service in several respects. The rules are subject to many irritating and useless restrictions which should be removed, e.g., (a) The rule prohibiting an officer taking furlough until the completion of 8 years' service. This is an antiquated rule dating from a time when a journey to India was a much more serious business. A young man on his first arrival in India has to go through a period of acclimatization, and unless he is exceptionally lucky, he really requires a year's leave after four years' service which will enable him to return to India a thoroughly fit and competent officer. A certain stigma is attached to furlough on medical certificate, and I have known cases where men have seriously injured their constitutions by hanging on the full 8 years before taking furlough. (b) The rule prohibiting the grant of privilege leave within eighteen months after more than six weeks' privilege leave have been enjoyed. (c) The rule preventing the grant of furlough within eighteen months after privilege leave. (d) The rule requiring 3 years' continuous service before grant of furlough. All these rules are much too rigid, and I can quote cases of the evil effects of their working.

34675 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, I consider that the present system of equal pension is generally accepted as satisfactory both by the Government and by the members of the Indian Civil Service. It constitutes one of the main attractions to recruits, and I am convinced that without it the Indian Civil Service would rapidly deteriorate both in the class of recruits attracted and in the quality of work done during active service. With the one exception in favour of those who have held high office [*vide* question (123)] I am of opinion that the present system should continue. I am also strongly of opinion that the pension should be a real, not nominal, pension of £1,000. The 4 per cent. contribution was not felt as a burden when salaries meant much more than they do now, but it has always been a grievance that the much advertised pension of £1,000 was in reality something substantially less and that the real pension was inferior to that of some other Imperial Services. The system of contribution is also unequal in its operations, and it is confidently alleged that in some cases a successful officer by the end of 35 years' service may have paid nearly the whole of his pension himself. I would strongly recommend that the 4 per cent. contribution should be converted into a Provident Fund which should form an addition to the £1,000 annuity.

34676 (119). Would a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No, such a system is desirable neither in the interests of the Government nor of the members of the Indian Civil Service. It would discourage retirements and lead men to hang on for the sake of adding to their pensions. It would also work most unfairly in the case of those officers who had not been lucky enough to enjoy good promotion; they would be penalized both ways, drawing smaller emoluments during their service and a reduced pension after retirement.

34677 (122). Do you consider that a similar system should be applied to the cases of high executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable. —Yes, I recommend that after five years of office the following high executive officers should receive special pensions:—Heads of Provinces, Members of the Viceroy's Council, £1,500. A proportionate increase should be given on retirement on medical grounds after less than five years of office.

34678 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without

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some provision for their subsistence? If so, what do you suggest?—Yes, I recommend the introduction of a system of reduced pensions for inefficient officers. Some such system has often been advocated in the past, but the difficulty has been to devise a working rule. An inefficient officer can, it is true, always be relegated to an inferior post, but the retention of such an officer is likely to affect the prestige of the Administration. Inefficiency should be taken to include unsuitability. To prevent alarm being aroused in the service and recruitment being adversely affected I would surround the system with adequate safeguards. The rough rules I suggest are as follows:—(i) Orders should be passed in each case by the Secretary of State and not by the Local Government or the Government of India. (ii) The first stage in the proceedings should be an enquiry before a special commission or jury of members of the service. (iii) The scale of pension should be identical with that fixed for retirement on medical certificate.

34679 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I do not consider the pension rules entirely suitable either in the interests of the Government or of the members of the Indian Civil Service. In the first place some revision is required in the present maximum of medical pension which is fixed at £700 after 25 years' total service, of which less than 21 is active service. This limit imposes an unduly severe penalty on senior officers whose health breaks down, and is likely to lead to the retention in service of the inefficient. I am of opinion that the difference between a full pension and a medical pension in the last few years of an officer's service should be minimized. I would suggest a scale of medical pensions working down from a maximum of £945 per annum after 24 years' service. In the second place the rule permitting retirement on full pension after 25 years' service and making it compulsory after 35 years' service appears to me to be capable of improvement. The difficulty of foreseeing what number of men will remain on the extra ten years makes scientific recruitment with a view to the attainment of responsible position within a reasonable time almost impossible. Again, India is a young man's country, and it is not desirable that men should be encouraged to stay after they have lost much of their vitality. Exceptional cases where it would be wrong to deprive India of the services of brilliant and experienced men can be met by the grant of extensions. I would suggest the following rules:—(a) Ordinary retirement on full pension after 25 years' service, of which 21 must be active. (b) With the sanction of the Government of India a 5 years' extension may be given. (c) At the end of the first extension a second extension of five years may be given. Yearly extensions are to be deprecated as likely to

create a feeling of unrest incompatible with good work.

34680 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I would make the following suggestions: that the constitution of the Family Pension Fund should be altered (a) so as to permit of the cessation of contributions after retirement, (b) so as to allow of the payment of pensions to orphan sons up to the age of 24 instead of 21 as at present. As regards (a) I would plead that the average member of the Service retires a comparatively poor man and deductions from his pension are severely felt. As regards (b) it may be urged that the present limit of 21 for orphan sons practically debars a widow from giving even one son a University or professional education.

34681 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I am not sufficiently acquainted with the working of the fund to be able to give a satisfactory reply. But subject to an actuarial report showing what additional burden would be thrown on the fund, which is based on European family conditions, I am disposed to think that Indian members of the Indian Civil Service should be admitted to its benefits. The differentiation is, I know, felt as a grievance, and plurality of wives is no longer the rule.

34682 (131). Do you recommend that such admission should be optional or compulsory?—The admission should be compulsory, no distinction being made in this respect between Indian and European members of the service.

34683 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you suitable?—I am satisfied with the existing organisation of the Indian Civil Service. It is an organisation that has grown up gradually to meet the needs of the country, that has adapted itself in the past, and will no doubt continue to adapt itself in the future, to changing conditions, that has given general satisfaction to the masses of India, while it still wins the admiration of critics and observers from other countries. To pull down an edifice which the wisdom and labours of our predecessors have reared would be the acme of bad statesmanship. Rather should attention be given to strengthening any weak points which may be revealed during the course of the enquiry now in progress.

34684 (137). Have you any other proposals to make in regard to the Indian Civil Service

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not covered by your answers to the above questions? If so, please explain them?—I would like to record my agreement with the following proposals:—(i) Permanent membership of the Viceroy's Council should be the crowning point of an Indian career and should in no case lead to the Headship of a Province. (ii) The term of appointment to the Secretary of State's Council should be reduced from seven years to three years. (iii) Certain posts in the India Office should be reserved by statute for members of the Indian Civil Service. These proposals would, I think, ensure the Viceroy and the Secretary of State receiving the soundest, the most impartial and the most up-to-date advice available, and the whole administration would rest on a purer

and securer basis. I would also draw attention to the need of revising the present form of covenant. The covenant is an agreement of service and like every other contract outside of Government service should bind both sides, specifying the conditions of service and pension with necessary safeguards. I must also notice one omission in the questions. There are a number of uncovenanted officers in the Central Provinces and Berar Commissions, and I consider that something should be done towards putting them on a level with the Indian Civil Service men in regard to their length of service, pension, and family pension fund. I am not prepared with a detailed scheme.

MR. A. E. NELSON called and examined.*

34685. (Chairman.) You are a Settlement Officer?—I am.

34686. Can you tell us what experience you have had previous to your present appointment?—I have had experience for 13½ years.

34687. As well as answering the questions on your own behalf you are answering them also, I understand, on behalf of the Central Provinces and Berar Commission Association?—Certain answers are my own opinions and in certain others I represent the Association.

34688. The Service proposals, which you have put in,* represent the views of the Association?—Yes.

34689. How is that Association constituted?—It comprises all the members of the Central Provinces and Berar Commission and is represented by an Executive Committee of which I am the Secretary.

34690. And these proposals are put forward by the Executive Committee as representing the body of the members?—Yes.

34691. You speak strongly against the proposal for establishing an examination for Indians in India, and I understand from your answer that your objection would apply equally whether such examination were tempered by previous selection or nomination?—My objection would apply to both.

34692. You would prefer to offer further facilities for the admission of Indians to the Service by promoting them from the Provincial Service to listed posts?—If further facilities are to be given, I prefer that scheme, but I am not recommending a large extension.

34693. Are you quite sure that a system of promotion to listed posts from the Provincial Civil Service is really popular amongst the members of that Service?—So far as I know it is. I cannot be absolutely certain, because I have not consulted them all.

34694. You do not think that discouragement is engendered by the smallness of the number of officers selected for these superior positions?—No. I think it creates a feeling of pride in the Service, that some of their members have been selected for these higher posts.

34695. One of the objections raised to the scheme of listed posts is that officers reach their positions so late in life that they never have an opportunity of going very far?—I have suggested that they should obtain them at an earlier period of their service, but I am not prepared with a cut-and-dried scheme, because I have not had time to work it out.

34696. Generally speaking, you would like to see young men of promise pass with greater rapidity through the Provincial Civil Service into the listed posts?—That is my opinion.

34697. Do you think that this scheme would be popular amongst the main body of the officers of the Provincial Civil Service? Under it one young man will be going through very fast, but he will be leaving behind a very large number of others with no prospect of enjoying equal advancement?—But they have their own prospects in their own Service to look forward to, and if the selection is made strictly by ability I do not think there would be any general feeling against it. Nobody, of course, likes being passed over.

34698. You object to the idea of an examination in India on the score that the men who passed would be of the Provincial Civil Service type?—That is my view.

34699. But supposing an examination were established in this country for a limited number of Indians, and that examination were in all respects similar to the examination in England, and it was conducted by the Civil Service Commissioners and all the successful candidates had a period of training in England at an English University, would you still say that those officers, when they eventually became members of the Indian Civil Service, would only enjoy the prestige of officers of the Provincial Civil Service?—I am not quite sure about that. The objection to that in my mind is that it will damage the prospects of the Provincial Civil Service entirely, unless you mean to confine them to competition.

34700. You mean that it will reduce correspondingly the number of listed posts?—Yes.

34701. And you consider that the listed post system is so far the superior to the one I have indicated that you would not sacrifice it?—I

* Vide Appendix II.

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think it is working very well at present in these Provinces as far as I know, and I do not see any particular reason to suggest a change.

34702. I am not suggesting a change but only asking you for your opinion of the two alternatives?—It is impossible to prophesy exactly what status these people would have until they actually formed part of the administration. I can only give my own ideas as to the status. It is quite possible that if they went home after examination they would obtain the status of the Indian Civil Service.

34703. You draw a distinction between your own views and those of others of your Service with regard to the age limit of recruits, and you say you yourself would prefer the higher ages?—Yes.

34704. Do you not think that the difficulties which you discuss with regard to the emoluments of the Service are very seriously accentuated by the fact that men come out so late?—They are.

34705. And if men were brought into the Service at an earlier age than they are now, then to a corresponding degree those difficulties would be diminished?—I agree that is a strong argument in favour of the reduction of the age.

34706. Do you see any practical difficulty in the way of a young civilian coming out here two or three years earlier than he does at present?—No practical difficulty at all. I prefer the University man.

34707. So that you would not seriously object to seeing the age reduced?—There is a great diversity of opinion on the matter and the arguments on both sides are extremely strong.

34708. You have given your opinion in favour of the advanced age and I want to hear on what grounds you gave it?—One main ground is that I think the University man will be generally the better educated man. I do not attach such great value to this period of probation which has been suggested. I think the period of probation is very rarely taken seriously. But a man who is working for a first class in the schools at Oxford or Cambridge is likely to turn out a much better educated man than the man working for a probationary examination.

34709. You can reconcile the University career with an earlier age, can you not?—I have reduced the age by one year, to twenty-three.

34710. You do not set much store by the year's probation after the examination?—Personally I do not set much store by it. There must be some value attached to it, but not such value as the training for a University degree.

34711. Do you think that the present training is of little use on account of the shortness of its duration, and that it might be useful if it were two years?—No, I prefer to keep the one year at present.

34712. And you regard it more or less as a period of recuperation after the examination?—Not entirely. There would be examinations, but I do not regard it as a very serious training. It lays the foundations for the training in India as far as they can be laid.

34713. You have made several recommendations which I understand represent the proposals of your Association, and as I read them, in the main,

they correspond with the recommendations made by the Local Government. There are small differences in regard to the time-scale of an immaterial character, and certain other proposals are slightly different, but on general lines I take it they correspond with those made by the Local Government?—I believe they do.

34714. We have already examined previous witnesses on all that, and therefore it is unnecessary for me to go through it again. But as regards your answer to question (97), in connection with what you call the futility of the system of acting allowances, could you give us any examples?—Yes; I have brought some copies of the "Gazette" notifications from which I can read extracts.

34715. You say that an officer's pay may vary four or five times within a single month, and that unless he is an expert on the Civil Service Regulations it is impossible for him to foresee what pay he will be drawing at any particular time. Can you give us examples to illustrate that statement?—I can quote a case. On the 7th November 1912, Mr. Moss-King was appointed to officiate as Deputy Commissioner, first-class. On the 13th November he was appointed to officiate as Deputy Commissioner, second-class; and on the 19th November he was appointed as Deputy Commissioner, third class. That is one case.

34716. That is three changes within two months?—Yes. Then Mr. J. F. Dyer on the 22nd January 1910 was appointed from Assistant Commissioner, third-class, to be Assistant Commissioner, second-class, *sub. pro tem.*; on the 2nd of July 1910 an order was issued as far as relates to the appointment of Mr. J. F. Dyer as Assistant Commissioner, second class, *sub. pro tem.*, from the 22nd May 1910, his reversion as Assistant Commissioner, third class, from the 3rd June 1910, and his appointment as Assistant Commissioner, second class, *sub. pro tem.*, from the 2nd July 1910, is hereby cancelled.

34717. There are about three changes there in two months again?—Yes.

34718. You would like to see this practice done away with and your own proposal for a time-scale established?—Yes. I think the present practice is absolutely ridiculous.

34719. Have you estimated at all what any or all these schemes which you have put forward would cost?—No, I am afraid I have been unable to do that.

34720. If it came to a question of alternatives, which, in your judgment or in the judgment of the Association, would you or they prefer to see carried into effect?—The provision of the time-scale is the most urgent.

34721. After that which would you say?—I should say after that the proposal with regard to better leave allowances. That is my own personal opinion, but I am not quite sure what the view of the Association would be.

34722. Your proposal is for seven months' leave on full pay?—Yes.

34723. You have not estimated what that would cost either?—I am afraid not.

34724. The expense would be heavy, would it not?—I suppose it would.

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34725. Have you anything to say about the strength of the Indian Civil Service cadre? Would you say that there are enough officers to do the work required, or do you hear of complaints of overwork?—I think there are quite enough officers to do the work required.

34726. (*Lord Ronaldshay.*) You do not attach as much importance to the disadvantages from which the competitive system is said to suffer as some witnesses have done, but from your answer to question (6) I rather gather you think that a certain number of undesirable recruits may get into the Service under the present system?—I do not say that they have done; I say that it is possible they may do.

34727. And you think they might be got rid of by the Rules for the retirement of inefficient officers. What are those Rules?—The Rules I have suggested in answer to question (124).

34728. You are referring to Rules you have put forward yourself, not to any Rules that exist at the present time?—That is so.

34729. I do not quite know whether that would exactly meet the case which has been suggested to us by some witnesses. Your Rules for retirement, I understand, relate to retirement on the grounds of inefficiency in a man's work?—I must leave each case to be taken on its merits. I am not prepared to lay down the exact reason.

34730. But do you not think that whoever had to pass judgment on these people would find it very difficult also to lay down any Rules?—I have surrounded the system with adequate safeguards. A case must be very bad before it is taken up, and I do not think very many cases would be taken up.

34731. If you had these Rules for retirement, surely they could be only Rules for the retirement of a man who did not perform his work efficiently. Do you think you could retire a man for any other reason?—No; I cannot think of any other reasons immediately.

34732. I do not say that this does happen or will happen, but you might have a very efficient "honder." Could you under your Rules retire a man who was performing his work efficiently on the ground that he was a "honder"?—I must leave each case to be taken on its merits. I cannot give an opinion beforehand.

34733. But at any rate you are quite satisfied that some suggestion such as that which you make in regard to question (124) would quite meet any possibilities?—It is the best I can suggest. I do not say it is perfect, but it is the best practical solution I can find.

34734. With regard to the answers you gave to the Chairman as to the recruitment of Indians to the higher Service, I understand that your policy is really to enhance the attractiveness of the Provincial Civil Service?—Yes.

34735. Would you like to see the whole status of the Provincial Civil Service raised, if possible?—No, I do not think I have said that definitely.

34736. You may not have said it, but you would like to see it?—It is a very good Service at present in these Provinces, as far as I know.

34737. Do you think it is a Service which attracts the best amongst the ambitious young students in India at the present day?—As far as

the Central Provinces are concerned, it does attract the best, but I am open to correction on that point.

34738. You think that, if it is considered desirable to make any recommendations for granting additional facilities to Indians for obtaining higher posts, the best way would be to select men from the existing Provincial Service?—That is my opinion.

34739. And select them if possible at an earlier age than you do at the present time for listed posts?—Yes.

34740. Have you any personal experience which would enable you to tell us about how soon you could pick out a man in the Provincial Service with the view to promoting him in due course to a higher post?—I should say, roughly speaking, 8 to 10 years.

34741. You told the Chairman that you thought the mere fact that a certain number of these men were selected for higher posts would not create any dissatisfaction among the rank and file of the Service. I suppose you came to that conclusion because you assume that if there was a probability of more men being selected for higher appointments every man who came into the Provincial Service would come in, if not in the expectation, at any rate in the hope, that he might be one of the fortunate people sooner or later?—That expresses my view.

34742. Exactly in the same way, I suppose, as in the Indian Civil Service, where it is not every civilian who can become a Lieutenant-Governor, but every civilian when he joins the Service thinks at any rate he ought to be a Lieutenant-Governor sooner or later, and perhaps may be?—Exactly so.

34743. So that there is really no ground for supposing that if you were to say you were going to select men from the Provincial Civil Service at a comparatively young age for promotion to higher posts on the ground that they had shown particular capacity it would in any way create dissatisfaction?—Not in the least, so far as I know.

34744. I wonder whether you would go just a little further than I think you do go in your written reply. You would like to see these men holding listed posts paid the same salaries as members of the Indian Civil Service holding similar posts?—That is my suggestion.

34745. It comes to this, that you would like to see these specially selected Provincial Service Officers practically promoted to the Commission of the Province?—That is what it would practically amount to.

34746. And the only two restrictions, as far as I can see, which you impose upon their actual incorporation in the Commission of the Province are, in the first place that you say they are to be appointed to a particular post, that is to say a listed post, and that they do not enjoy the right enjoyed by an ordinary member of the Commission of being given another post if they prove fit for it. That is the limitation attached to the listed post system at the present time?—Yes.

34747. Would you have any objection to the limitation being removed, and when once you have selected a man and said he was a good

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enough man to rank in the Commission of the Province he should have the same chance as any other member?—Yes, personally I think that.

34748. You would agree to that?—I would agree to that.

34749. The only other restriction is the question of pension. It would be impossible I suppose to put these men on the same footing as other members of the Commission with regard to pension under the present system, because they would not have subscribed towards their own pension in the earlier years of their service?—There would be practical difficulties.

34750. But in those Provinces where military officers have been employed in the Commission no difficulty has been really found on the ground of pension?—No difficulties have been caused as far as I know.

34751. So that there would be no difficulty on that score?—No.

34752. With regard to what you said to the Chairman about the age-limit, you yourself, I understand, are rather disposed to be in favour of a higher age-limit, because you attach a great deal of importance to a University education?—Yes.

34753. Would your difficulty be got over supposing it was decided to recommend an age limit to catch a schoolboy for the examination, from 17 to 19 or 18 to 20, and instead of undergoing the particular specialised probation which a man undergoes now, the successful candidate in the examination passed three years at a University and took a University degree, that degree being suited, as to its subjects, to a certain extent to the career which he will have to take up when he comes out to India?—That would remove all my objections provided you fix the standard of the degree to be taken. If the man had only to take a third-class or a pass degree, I do not think it would be sufficient.

34754. You would like a higher standard fixed?—Yes.

34755. What would you suggest as the lowest standard which would be satisfactory?—I am not in close touch with the Universities at present and it would be rather difficult for me to say without knowing the conditions.

34756. Why do you think a third-class would not be satisfactory, if you are not acquainted with the conditions?—If a man was on probation in a University and was sent there for three years and only succeeded in taking a third-class, unless there are some mitigating circumstances, I should not think he was good enough for the Civil Service.

34757. You think it ought to be something higher than a third-class degree, but you are not prepared to say what it should be?—I am not prepared to say that it should be confined to a first-class.

34758. (Sir Theodore Morison.) You say that the term of appointment to the Secretary of State's Council should be reduced from seven years to three years, and I should like to hear your reason for that?—The reason is that the conditions change so quickly from day to day that it is necessary to have a constant succession of fresh blood in the India Office.

34759. You also say that certain posts in the India Office should be reserved by statute for members of the Indian Civil Service. What sort of posts do you mean?—I am not prepared to give a list of the posts, but it should be absolutely assured that in the India Office there should be some element of Indian experience.

34760. You would not take a Magistrate in the middle of his career?—No.

34761. You would take him at the end of his career when he was still in service?—If it were offered to him it would be open to him to refuse it.

34762. You would have a senior man anyhow?—Yes.

34763. If he was a distinguished man—and presumably you would take no other—you would not put him to perform clerical work? If you are going to have a distinguished civilian you will have to put him at the head of a department?—Yes.

34764. As has been already the case with regard to certain distinguished Indian civilians?—Yes.

34765. You would like to have that by statute?—Yes; I would perpetuate that by statute.

34766. Will you explain what you would do for these English Civil Servants who are working in the India Office and from whom you are taking away the plums of their Service?—I am not proposing to take away all the plums but only certain of them.

34767. There are very few plums in the India Office. A little time ago the only plums were held by members of the Indian Civil Service. Judging by what we have heard of Civil Service opinion here when an appointment goes to a member of the English Civil Service which the Indian Civil Service expect for themselves, what do you think would be the feeling in the India Office?—If it were laid down by statute that certain appointments were to go to Indian Civil Servants, there could be no possible feeling. I am not prepared to interfere with anybody's prospects.

34768. You are reducing the value of service in the India Office very greatly if you are going to confer by statute all the prize appointments on outsiders?—Not most of them, but only a proportion of them. If you will give me a list of the appointments, I might be able to tell you what they are.

34769. There are only a certain number an Indian Civilian could have. What are your reasons for these proposals?—I have given one reason, that there should be a stream of the latest men from India with up-to-date experience. The other reason is practically the same, that the India Office will have expert advice at its disposal.

34770. You have no close experience as to the work of the India Office?—No.

34771. In paragraph 9 of the Memorandum of the Central Provinces and Berar Commission Association there is a complaint of the secret manner in which the Annuity Fund is administered. Has your Association ever asked for the publication of the Annuity Accounts?—I am afraid it has not had time to ask, because it has only just been formed.

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34772. Has anybody asked?—Not that I know of. I have no information about it at all.

34773. A statement is laid before the Secretary of State every year, and if it is a very serious matter I should have thought you might have asked for it?—I do not know whether any one has asked.

(Adjourned for a short time.)

34774. (*Mr. Madge.*) In answer to question (2) you say: "I have no suggestions." Is it because you would rather not make them, or because you have not thought out the matter?—I have thought out the matter to the best of my ability, and I have no suggestions to make.

34775. In the middle of your answer to question (6) you say: "No board of selection can say how men are likely to turn out as administrators any more than advocates of eugenic theories can foretell the future of babies." Do you mean that no trace of character is discernible up to any age at which that recognition is possible?—No; I would not commit myself to that statement. It is difficult to devise a practical system of selection.

34776. The real difficulty is some test of character, and, of course, if you think that no test of character is discernible early in life, I can see where the impossibility comes in?—Character is formed by the actual work of administration to some extent.

34777. In answer to question (7), speaking with reference to simultaneous examination you say: "If the attempt were made the result would be chaos." Do you mean in the administration, or as regards the education of this country?—I mean as regards administration. I consider it would lose in efficiency.

34778. Do you think it would have any reaction upon education itself?—I am not an educational expert, and I would rather not talk about it.

34779. When you say that you are not in favour of any proposed scheme of representing the communities, have you in mind that any such system would consider individual interests rather than those of the public, because after all the Government is bound to give us the best officers it can get for what it can afford to pay, no matter where they come from?—Yes, that is my view.

34780. Do you think an Indian going to England early in life runs a risk of being alienated to any appreciable extent, on the one hand, from the sympathies of his countrymen, and, on the other, from the influences which would make him more useful here?—No, I should think the English training would probably make him much broader-minded.

34781. And in no degree, and in no sense, alienate him from his own people?—An educated man must be, to some extent, alienated from people who have not been away from India. That is inevitable, I am afraid.

34782. But there are risks. An Indian witness told us that the majority of men who had gone home had turned out bad bargains?—As far as I know, I do not think that has been proved.

34783. In your answer to question (24) you say: "We were living very fast in these times, but it might be possible to live too fast in matters of that description." Do you think that in substituting our "reign of law" for the old paternal system we are getting on a little too fast, not only in backward communities; I am speaking for all India?—You cannot go back; you cannot retrace your steps.

34784. Have you any knowledge as to whether or not we are going too fast? If there was a volume of opinion to that effect, it might not send us backward, but it might put a stop to our rate of progress?—I cannot see that there is any particularly dangerous policy abroad just at present.

34785. It has been admitted that whereas in the old days district officers settled certain grievances in the course of their tours, the tendency of late has been to promote litigation, and with it perjury, and all the other evils?—Surely, that is the inevitable result of advancing civilisation?

34786. Not more in this country than elsewhere?—People may be naturally more litigious. That may disappear with better education.

34787. I am asking you this question with reference to reported facts. Some people think that the administering of justice does not simply mean trying lawsuits, but setting right wrongs, by whatever means doing it?—Deciding cases by common sense and not by law?

34788. Partly that and partly making people who are on bad terms on good terms without going to law at all?—That is done now by the personal influence of officers. They do all they can; but there is a limit beyond which they cannot go. You cannot prevent a man from filing a suit.

34789. You mean that there is a legal limitation?—You cannot forcibly stop a man being litigious if he wants to be litigious.

34790. Do you think that this "reign of law," which is spreading gradually over the country, is promoting litigation, and a good deal of false litigation, with perjury?—I think that is rather a superficial view to take. I suppose it is the same in every country.

34791. Do you think that it is doing good?—Yes; on the whole I think it is doing good.

34792. In answer to question (46) you say: "I attach great importance to residence at Oxford or Cambridge as these Universities provide a more bracing intellectual, moral and social atmosphere than any other type of University." Do you mean because they are residential Universities?—They are not only residential; they have a tremendous reputation, and tremendous historical associations.

34793. As against the result of Scotch Universities which are not residential?—I am not reflecting in any case on any of the other Universities. I only say that in my own opinion I think Oxford and Cambridge happen to be the best.

34794. Best in what respect, as regards what they produce, or in what respect?—I believe it is generally accepted that the standard of education is higher in both of them, although I cannot absolutely prove that.

34795. (*Mr. Fisher.*) What do you mean by your phrase, in answer to question (97), "retrenchment

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system"?—If a man is acting in a particular grade, say as a second-class Deputy Commissioner, and he draws Rs. 1,800 a month, he goes on drawing that until a notification appears in the *Gazette* that he has reverted to a third-class Deputy Commissioner. But that notification applies retrospectively during a certain portion of the time that he has actually been drawing Rs. 1,800, and he has to give back what he has drawn in excess.

34796. In answer to Lord Ronaldshay you said that you were of opinion that you secure for the Provincial Civil Service the best University talent in this Province?—Yes, that is my opinion.

34797. Will you tell me at what age a young man generally enters the Provincial Service?—I have not got very accurate information upon that point.

34798. He must be 25; but I do not know whether there has to be an interval between his University degree and his appointment?—There is sometimes, I believe, in the case of the Judicial; but I have not written any answers to the Provincial Civil Service questions.

34799. Would you be very much opposed to seeing part of the Provincial Civil Service recruited by competitive examination? It has been suggested to us by several witnesses that it would be undesirable to recruit the whole by means of competitive examination, because you could not get a due representation of classes and communities, but that it would be desirable to recruit part of it, because in that way you would be certain of drawing the best University talent to the Provincial Service, and you would make the Provincial Service the natural outlet for young University men?—The proposal seems to me to be reasonable, but I have not given it real consideration.

34800. In answer to question (6) you say: "It is necessary that some definite assurance of a career be given, and that this should not as at present be left entirely to chance." I am not quite sure what you mean there?—I am referring particularly to blocks in promotion which take place at frequent intervals. Sometimes a man comes out and has a very excellent career, whilst at another time a man will come out and will find that he is hopelessly blocked until he is on the eve of retirement. The time-scale would do away with that to some extent.

34801. (Mr. Sly.) With regard to the statement which has been put in by the Service Association, the block in promotion is there alleged to have occurred owing to certain reasons, the first of which is over-recruitment?—Yes.

34802. That over-recruitment, I understand, was made in certain years in order to bring the Commission up to its proper strength?—Yes.

34803. Then the second point put forward is that certain superior posts have not, as a matter of fact, been held by officers who are drawing superior pay?—Yes.

34804. Is not that simply the result of action by the local administration, or has it any bearing on the real principles of recruitment?—You mean that the local administration would solve the problem by putting in senior men. The reply is that they do put in men but they do not draw superior pay. For instance, I presume you would

call a man senior after eight years' service. At the present moment the Registrar of Co-operative Societies has eleven years' service, two Settlement Officers have thirteen and ten years' service respectively, and the Director of Agriculture has eleven years' service. The local Administration cannot solve the problem in that way. The only way they could solve it would be by putting in very much more senior men.

34805. Men actually holding the posts of Deputy Commissioner?—Yes.

34806. You refer to a recent reduction of superior posts in the Government of India. What was the extent of that reduction?—As far as the Central Provinces are concerned, I understand it was one place.

34807. But that was a reduction simply from five to four for the basis of recruitment in the Central Provinces?—Yes.

34808. And to that extent it will benefit the men recruited for the reduced number of superior posts; but what was the actual reduction in the number of posts in the Government of India?—I am not quite sure whether I can give you the information offhand.

34809. As far as the reduction has been made in the Central Provinces for the purpose of recruitment from five to four, that will be an advantage to the men recruited, not a disadvantage. The only loss that the Commission can have suffered under that is a loss in the total number of posts available under the Government of India?—Yes.

34810. Then you have also referred to the fact that the Commission has suffered by the fact that three Borar posts have been listed?—Yes.

34811. That grievance applies only to the men who were recruited from 1905?—Yes.

34812. You have yourself given a personal opinion in favour of the retirement of officers after 25 years' service?—Yes.

34813. And the only exception you make is that Government may, in special circumstances, be able to give such officers extension of service?—Yes.

34814. Do you not think that would lead to the retirement of officers of experience to the detriment of the Administration?—My exceptions allow of extensions.

34815. It only allows extension up to 30 years' service?—After that I have suggested the possibility of another extension for another five years, which brings it up to exactly the same period.

34816. It would also have the effect of increasing substantially the non-effective charges of India, would it not?—That is a point which ought to be worked out by an expert.

34817. You have suggested that the same time-scale should be applicable to both the Executive and Judicial branches of the Service?—Yes, I have suggested that.

34818. We have had evidence to the effect that the Judicial Branch of the Service is not so popular as the Executive, and that special inducements are at present, and must be in the future, given to officers entering the Judicial Service in order to induce them to elect for that Service?—I have no objection.

34819. There would be no objection to improving the prospects of the Judicial branch of the

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Service under time-scale by giving them a separate Judicial allowance if necessary?—I have no objection to that.

34820. Would there be any objection on the part of the Service to abolish the special nomenclature of offices in the Central Provinces in favour of that originally followed in Regulation Provinces, the abolition of the titles of Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner, in favour of Collector, Assistant Collector and Deputy Collector?—The only objection would be a sentimental one. I do not know whether it would be strong or not. The point has never struck me. There might be a sentimental objection on the ground that "Commissioner" is a better sounding title than "Collector." "Collector" is rather liable to be associated with tax-collector.

34821. (Mr. Macdonald.) With regard to the listed posts, in answer to question (38) I see that you have worked out a system of your own in which you have tried to show that your proposals are better than those which were made by the previous Public Services Commission?—My percentage is slightly better.

34822. Is not that on the assumption that the previous Public Services Commission's proposal was to cover the whole of the Indians in the cadre, those who had entered through the English door, and those who had been promoted from below. That, I think, is your assumption?—Yes, that is my assumption.

34823. But is not that wrong?—It is possible to verify it. I am not sure whether it is right or wrong.

34824. Was not the proposal of the previous Public Services Commission that the special promotion should be one-sixth?—I have always understood it to refer to all Indians. I may be incorrect in that, but that has been my assumption.

34825. Under your proposal, as it stands, you would find room for one-sixth of Indians in the cadre, those who come through the English door plus those who are promoted?—Twenty per cent. is more than six. It depends upon the number of superior posts.

34826. Your own figure is 52, and you work out eleven as 20 per cent.?—Yes.

34827. And five are now on your list through the English door?—Yes, but they are not all holding superior posts at present.

34828. The assumption is that they have to come along?—They will, that is the assumption, unless they disappear.

34829. Am I right that at the present moment you would only give six? Supposing you are going to start now, you would list six posts?—No; that is not correct. It depends upon how many of the Indians recruited in the Home competition are occupying superior posts at the present moment. It is automatic.

34830. In any event you go back to your fundamental position. Your assumption was that the last Public Services Commission included one-sixth?—That is my assumption.

34831. If the last Public Services Commission meant one-sixth to be promoted men, and to be exclusively those coming through the English

door, then your provision would not be quite so liberal?—My provision would hardly be any advance at all.

34832. With reference to your claim regarding vested interests, would you tell me what is the opinion of the Service upon that point? If a man is recruited in a certain year, is it the claim of the Service that every superior post which was in existence for that year became a sort of vested interest so far as his prospect was concerned?—That is practically what it amounts to. It is altogether a rather complicated question. Provided this particular individual obtained a superior post within a reasonable time he would not have any grievance.

34833. Take the present condition of the Service. Supposing you are recruiting a man to-day. As I read it he is recruited under certain Orders, and presumably with a certain knowledge of the flux and flow of the Service. The Service is not a static thing, it is a dynamic thing. He is recruited into a Service which is squeezed, this one in one direction one year, and the second in that direction in another year, as all public offices must be?—The changes are not so rapid.

34834. I am exaggerating, in order to get exactly what is in your mind?—That is the point.

34835. One of the things he is recruited under is this Order which was issued from Simla on the 6th August 1910. It says: "The local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India, and of proved merit and ability, to any of the offices, places and employments ordinarily held by members of the Civil Service of His Majesty in India." That is one of the conditions?—Yes.

34836. At any rate, it is quite clear that it has been in operation since 1910?—Yes. But you cannot get away from the fact that you cannot interfere with and terminate a man's career abruptly. If you recruit a man, you must give him a career.

34837. If you recruit a man, you put him into the Service?—Yes, but he should not be subject to capricious action.

34838. You would define the listing of posts as capricious action?—Supposing you suddenly listed forty posts would not that be capricious action? You would deprive twenty or thirty people of the chance of living.

34839. I wanted to get your view. Supposing we felt that more listed posts should be created, a reasonable number, and a number which we could say for the next ten years would not be capricious under the Order of 1910 which I have read, would you say that that reasonable number of listed posts would be a violation of the vested interests of the men in the Service?—Yes, distinctly. You must make some allowance for the men already recruited. That is only fair and equitable. I do not think there can be two opinions about that.

34840. Do you take the view that the posts which are in existence the moment that a man is recruited to the Service become a part of the contract which the Government has with him?—I take that view.

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34841. In spite of the Order of 1910?—Yes, in spite of that.

34842. (*Mr. Chaudhary*.) As I understand your scheme, you are not of opinion that the Indians should cease to be recruited through the open competition in London; it is not part of your scheme that they should cease to be recruited through the English door?—No, I do not propose to stop that.

34843. At the same time, I gather from one of your answers you think that fit Indians should be promoted more into the listed posts?—There has been a doubt thrown upon my 16 per cent.

34844. You say: "The best method of recruiting Indians into higher appointments is by selection into the Provincial Civil Service." So that you want to see that the aspirations of Indians for larger employment in the higher Service are gratified by promotions from the Provincial Service?—As it is at present.

34845. That would, I suppose, mean that more of the superior posts should be opened for fit men in the Provincial Civil Service?—It depends where you are going to stop. I do not want to commit myself to any definite percentage.

34846. Do you contemplate, as a possible result of your scheme, that you would be actually cutting down the number of posts which at present form the incentive to the Provincial Civil Service?—It depends upon the recruitment of Indians in England entirely.

34847. You are not going to stop that?—I am not going to stop that.

34848. Let us work it out. At present there are in all 660 superior posts in India, between India and Burma?—Yes.

34849. So that out of 660 posts, according to your percentage, 132 posts become available for Indians, 20 per cent.?—Yes.

34850. 132 places become possible?—My view is confined to the Central Provinces. I know nothing about other Provinces.

34851. We shall see how it works. Out of 132, there are 56 listed posts in all?—Yes.

34852. Deducting 56 from 132, it leaves a balance of 76?—Yes.

34853. And out of the 76 there are at present working in the cadre of the Civil Service throughout India 56 Indians?—That leaves a balance of 20.

34854. So that between promotions from listed posts and recruitment by the competition door there is only scope for the employment of twenty more?—Under my 20 per cent. Rule, yes.

34855. Supposing in three years more 20 Indians come out successful in the competition, then you would cut away all the listed posts?—In the meantime some of the other people would have retired.

34856. Supposing nobody retires within the next four or five years?—That would be the inevitable result.

34857. If the scheme is adopted, the tendency must inevitably be in the near future to diminish the number of listed posts. If the listed posts and the recruitment from the Home door are only to constitute 20 per cent., then the natural result of adopting your proposal must necessarily be that in the near future the listed posts must gradually

diminish?—Does not that depend on the number of men recruited in England. If that does not increase, the Provincial Civil Service would probably get about the same.

34858. Is it, as a matter of fact, increasing?—I do not know. I have not the facts before me.

34859. Have you tried to ascertain how many go each year, and how many come in? How many Indians, on an average, come out successful through the English competition door, and how many retire from the Indian Civil Service?—No, I have not that information.

34860. If you work that out, as I have tried to do, I think you will find that the net result of adopting your proposal must necessarily be that in the Provincial Civil Service the listed post must gradually diminish?—That is a possibility.

34861. In answer to question (37) you say: "The merging of the inferior listed posts in the Provincial Civil Service has satisfied to a great extent the aspiration of the educated classes to share in the administration of the country." May I ask you if the result of merging these listed posts in the Provincial Civil Service has been anything more than making a few more appointments in the higher grades? Take, for instance, Extra Assistant Commissioners, or Deputy Collectors, as we call them in our part, then merging the listed posts in the Provincial Civil Service means really, that instead of having four Deputy Collectors you have eight?—Yes, that is what it practically amounts to.

34862. You think that the legitimate aspirations of Indians for employment in the higher services would be satisfied by creating a few more posts in the Provincial Service?—If they say they are not satisfied, I cannot contradict it. That is all.

34863. I want to know what your idea is of the legitimate aspirations of Indians for employment in the higher service. If you speak about aspirations to fill the higher posts, that a person who considers he is fit and that it should be open to him to aspire to the highest post under His Majesty, that I consider to be the aspiration of the Indian. You think that that aspiration ought to be satisfied by giving four or five places at Rs. 400 and Rs. 500 a month?—They have got the open door in England, and they have got the listing system.

34864. I am now confining myself purely to the Provincial Service. Do you think that any service can be satisfied when the highest prospect that you lay before it is a service which only goes up to Rs. 800?—Those are the conditions of the Service. They know they are recruited to that Service on those conditions.

34865. What is it which leads you to say that their aspiration has been satisfied by listed posts being merged into the Provincial Service?—I have qualified that by the words "to a great extent."

34866. There are one or two questions I should like to trouble you with in connection with your answer to question (38). At one time in this Province, Civil, Criminal, and Executive work were all done by the same officer?—Yes.

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34867. And the differentiation which has been effected at present is that the civil work is exclusively done by one set of officers?—Yes.

34868. While the criminal and executive work is done by another set of officers?—That is not quite accurate: it is roughly accurate.

34869. As I gather from your answer you would be against a further differentiation between the two latter functions that I have referred to?—Yes.

34870. Do you advocate the theory that there should be two branches of the Service, Judicial and Executive, that the Judicial Branch should do all the Judicial work and the Executive branch should do all the Executive work?—By Executive, you include criminal work?

34871. I ask you whether you would include it or not?—My views are given here. I do not propose to take away the criminal work. I propose to leave the criminal work to the Executive officer.

34872. Do you consider that the criminal work should be part of the Judicial work, or not?—It is Judicial work.

34873. At present your Judicial Branch, if it is understood as meaning the Branch in which the whole Judicial work is done, is a misnomer?—That is quite correct.

34874. I want to know what is against this differentiation?—If people want to make a change the people who propose the change should give reasons for the change, and then I can give my objections to the reasons. Where you find the existing state of things working quite satisfactorily, the burden of proof lies upon those who want to make the change.

34875. The great question is whether it is working satisfactorily?—It is in my opinion. If you can show me any evil, I will give you my opinion.

34876. We have had evidence from a fairly large body of persons who think the other way?—But have they given actual facts?

34877. I want to know what would be the evil, apart from any question as to proof. Why it should be wanted? Supposing there is differentiation in the Criminal, Judicial and Executive functions, what are your points against that?—The people themselves would strongly object to it.

34878. When you say that the people themselves would strongly object to it, may I ask you what people you are thinking of? Let us take a concrete instance. Some questions have been put to other witnesses upon this point as to what the ignorant masses of the people think, and I suppose it is to that to which you are now alluding when you speak about what the people think?—They would not be able to give an articulate expression to their views.

34879. Take a concrete case of A, one of these masses, being charged with an offence under the Abkari or Forest Act, how are the ignorant masses concerned with this question as to who tries A? I want to get at the feeling of those who urge this argument. Take the concrete cases of A or B being charged before a Magistrate, who does both Judicial and Executive work, if he says that his trial should go on before a person who does purely Judicial work and is not a Magistrate,

how are the other three hundred millions, the ignorant masses about whom so much has been spoken, concerned in this question? It is only a question of the person who is directly accused before a particular Magistrate?—You must take the whole result of the proposal. The whole result would be the destruction of the District Magistrate's influence through the District.

34880. What have the whole of the law-abiding public or the masses in general got to do with who tries A, B or C? It is only the person who is directly accused before the Court, and his representatives, who would be concerned. How could it concern anybody else?—They would think that the next week they might be tried for the same offence themselves.

34881. And in that case you would have to consult them?—Yes.

34882. Whenever you speak of a concrete case, you would have to take the opinion not of all the ignorant masses, but of those particular individuals who happen to be in the unfortunate predicament of being accused before Criminal Courts?—Yes.

34883. Has there been any means of measuring what the opinions of those persons are?—Do you mean whether they have been actually asked upon the point?

34884. When a person says that people do not want it, does that person say it after taking this into consideration, that as a matter of fact the pertinent opinion upon this point would be of the persons concerned, and not of the rest?—It affects the rest in so far as the same circumstances may arise.

34885. So far as the opinions of those men at the Bar, Pleaders and others who represent the accused before these Courts are concerned, their opinion is all one way: they would rather prefer a Magistrate who has no Executive work to do. Is not that your belief of the feeling?—No. As far as my experience goes there is no feeling in this Province at all upon that point.

34886. On the practitioners' side? I am only here referring to the opinion of the practitioners?—There may be a feeling from a theoretical point of view, but from a practical point of view, I do not think there is any feeling at all, though they may come forward and tell you that there is a feeling.

34887. Do you consider that that is the belief of the practitioners?—I consider that the practitioners are of opinion that there is no real evil existing in the Central Provinces at the present moment.

34888. Am I to understand that instead of the nineteen posts at present you wish to have 58? You propose alterations of the grading and pay; you propose a certain number of first class Deputy Commissionerships, and so on, making a total of 58?—But those are not all superior appointments.

34889. I do not say that they are. Am I understanding you correctly if I put it in this way, that you propose 58 officers where at present there are 19?—No, that is quite incorrect.

34890. You have at present only one Commissioner at Rs. 2,750?—But we have five actual Commissioners working.

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34891. Is this meant both for the Judicial and the Executive?—Yes; it has not been separated.

34892. (*Sir Murray Hammick*) With reference to your remarks in answer to question (42) and other questions, in which you talk of the vested interests of civilians, I presume what you mean is that you do not think on grounds of equity that the authorities should take away any large number of appointments from the prospects of the junior civilians without compensating them in some way for the loss that would occur to them?—That is practically what I mean.

34893. You do not mean to say that if the Government chose to give appointments to anybody they cannot do it?—They can do it. They can do anything they like.

34894. The notification which Mr. Macdonald drew your attention to more or less says that the Government of India makes the following rules which have been sanctioned by the Secretary of State, and then proceeds to say: "The local Government may appoint any member of the Provincial Civil Service subordinate to it, who is a Native of India, and of approved merit and ability to any of the offices, places and employments ordinarily held by members of the Civil Service, of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official *Gazette*) that members of such Provincial Service can properly be appointed." That refers to the appointments which have been listed not by the local Government, but by the Secretary of State?—Yes.

34895. I suppose when the last appointments were listed by the Secretary of State in this Province, as certainly happened in the Province of Madras, the Secretary of State when he listed his appointments did make the reservation that certain of those appointments were to be listed, and given to Provincial Service officers until the claims by certain officers of certain years had been fulfilled. That was done here?—Yes.

34896. And that is a precedent which would probably hold in the future?—Yes.

34897. That is all you mean? You have been led by precedent to believe that that is what would happen?—Yes.

34898. With regard to your answer to question (110) you say you would press for equal treatment with other Services, namely, a privileged rate of 1s. 9d. Are you speaking there on behalf of the Civil Service Association?—No, that is my private opinion.

34899. Why do you think that a Civilian should get 1s. 9d. on furlough?—It is one method of improving furlough allowances.

34900. Surely it would be much better to improve furlough allowance by giving furlough pay?—The suggestion is made assuming that the other proposal is not carried out. It is only an alternative.

34901. Do you think that the minimum furlough allowance which is at present granted of £500 a year is generally sufficient?—Yes, I think it is.

34902. You would not recommend an alteration of the minimum?—I have not given any thought to the matter of altering the minimum.

34903. If it comes to a question of raising furlough pay, would you like to see the minimum pay increased rather than the maximum increased? The maximum is £1,000 a year. You cannot get more than that when you are on furlough. Which of those falls most hardly on the Service, the minimum or the maximum?—I should like more time for considering that point. I am not prepared with an answer.

34904. With regard to your answer to question (115) would you like to see the present rules of the Civil Service Regulations entirely abolished, and the granting of leave and furlough left entirely at the option of the Government?—No, subject to the amount of leave earned by the officer.

34905. Do you not think that that would very likely lead to a very great uncertainty whether you were to get leave or not, and also there would be suspicion of favouritism with regard to officers who did get leave?—That is the objection to it, I admit.

34906. Have you not often heard that certain officers are always getting leave, and that certain other officers never get leave?—I do not think we have cases of that sort.

34907. In answer to question (114) you say: "It is certainly true that the little discretion left with the local Administration in the matter of granting leave": surely an officer in charge of a local Administration unless a man wants sick leave, or unless he wants leave on urgent private affairs, has complete discretion as to granting leave?—Sometimes the head of the Administration cannot let a man go when he really wants him to go, and it would suit the convenience of the Administration that he should go.

34908. You mean that sometimes he would like to let an officer go when he is not entitled to leave under the Regulations?—Yes.

34909. Otherwise he might always prevent an officer going?—Yes, he has complete discretion.

34910. In answer to question (115) you say: "A certain stigma is attached to furlough on medical certificate." I suppose what prevents a man from going on medical leave is not that there is a certain stigma attached to furlough on medical certificate, but that he has to get a medical certificate in order to be able to come back again?—If a man goes upon medical leave, he is looked upon rather as a weakling.

34911. What really actuates a man in preventing him from taking furlough on medical leave, if he can possibly help it, is the fact that he knows that when he gets home he will have to go to a doctor before he can get back again?—It depends upon the state of a man's health.

34912. Do you not think if you abolish the Civil Service Regulations as regards leave that you start a great feeling of uncertainty amongst officers as to whether they will get leave or not get leave?—They cannot demand leave at present.

34913. But a man under the Regulations can point to the Regulations under which he has earned leave and say that he is entitled to get that leave unless the Commissioner give some reason why he should not go. If it is left entirely to the Commissioner, he might say: "You have not done your work properly for the last

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two years, and I am not going to give you leave"?—That would be a fair answer.

34914. You cannot do that now. Would it not be considered an extraordinary innovation to say, "you have done your work badly for the last two years, and therefore you are not to go"—I do not think it would. There is no precedent for a thing like that, as far as I know.

34915. What I mean is this. These Civil Service Regulations have been built up on various cases, and always come up from time to time, and may be taken to be the written-down experience of many years. Do you not think it is rather a dangerous leap in the dark to sweep away all those Regulations and allow leave to be left entirely to the option of one man's will?—There is a danger, I admit, but it seems to me to be the more sensible policy.

34916. (Mr. Mahdi Hasan.) In reply to question (9) you say that you do not consider the system of competitive examination is suited to the conditions of India; and in reply to question (14) you refer to Eurasians, etc. They are as much entitled to be classed as "Natives of India" as Parsees or any other community. I want to ask you whether you exclude persons of mixed European and Indian descent also?—I do not see any objection to competitive examination amongst the people of mixed descent.

34917. That is to say, you would let them compete with Europeans in England?—Yes. I have raised no objection to that.

34918. You would not like Indians to appear at the examination in England?—I have raised not the slightest objection to that.

34919. In reply to question (38) you say that Indians are handicapped in their administration of a district by virtue of their nationality. Do you know that at present there are two Indians who are non-Indian Civil servants in the Central Provinces, namely Mr. Chitnavis and Mr. Rustomji, who have been Assistant Commissioners, and have been promoted from the grade of Assistant Commissioners to the post of Deputy Commissioners; that they were promoted in different grades of Deputy Commissioners to officiating Commissioners, and for a long time one was a Commissioner of a Division in the Central Provinces and the other, of the important Division of Berar, and is now Commissioner of Excise and Inspector-General of Registration? Have you any reason to say that they have been so handicapped?—I have absolutely no reason for saying that.

34920. Or the other Indian gentlemen in the Berar Commission?—No, I have no reason at all.

34921. You also say in answer to the same question: "I am also absolutely convinced that the governed, both the educated classes and the cultivators, far prefer to see an Englishman at the head of the district." Will you tell me how you have been so convinced?—No, I am afraid I cannot.

(The witness withdrew.)

KHAN BAHADUR HAFIZ MUHAMMAD WALAYATULLAH, Extra Assistant Commissioner, Amraoti.

Written answers relating to the Indian Civil Service.

34922 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by an open competitive examination in England is generally satisfactory in principle. It removes all favouritism and makes no distinction of race and religion. Undoubtedly it affords great advantages and offers great facilities to Europeans, and it is true that Indians are generally very much handicapped on account of the long distance and the great expense. But Education and Training in England must be presumably far superior to what they are in India. Consequently if the examination is held in India it will only lead to deterioration and will affect the general efficiency of the Administration. I have spent my whole life in India and have had no opportunity of going to England. I speak with my limitations. But I have had opportunities of forming my opinion as to the relative capacity for originality and initiation and the general administrative talent of Europeans and Natives of India, and I have no hesitation in frankly admitting that according to my personal conviction an average European is superior to an average Indian both in powers of mind and body. This is as it ought to be from the circumstances. The

excellent institutions in England and the general environment, coupled with the bracing climate of that country, must make a great difference between the products of the two countries. Modern civilization in India is yet in its infancy and has yet to break through the conservatism of centuries greatly accentuated by a complicated caste system and the multiplicity of religions.

34923 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examination in India will not be successful. It will be subject to many limitations and will give rise to a large amount of discontent. It will be for the benefit of a few advanced communities. In course of time the whole service will be swamped with Natives of India and probably these will not represent all the communities of this country. It is absolutely necessary that Government should be carried on with Western ideals and for this Western culture is necessary. This can be achieved only by residence at one of the approved Universities in England.

34924 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—Neither the system

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of simultaneous examination nor of separate examination in India is likely to work satisfactorily. Men who will pass through a purely Indian examination will be considered as inferior in qualification to those passing through the English examination.

34925 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The one great objection that is urged against the present system is that it practically shuts out Indian youths. I think this could be overcome by the grant of a few special scholarships to enable a few students to go to England for purposes of the competitive examination every year. In granting these scholarships the claims of all classes and communities should be duly considered.

34926 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of shutting up the English door for the Indians in any case.

34927 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If special scholarships cannot be arranged I would recommend that the number of listed posts might be increased to satisfy natural aspirations of the educated classes and to give an increased share to the Indians in the administration of the country.

34928 (23). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The system of appointing Statutory Civilians may not be revived.

Written answers relating to the Provincial Civil Service.

NOTE.—All the replies refer to the Executive Branch of the Provincial Civil Service except where it is stated specifically otherwise.

34929 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 10th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable and I have to suggest no alterations.

34930 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alterations?—I have only to suggest that in making appointments by nomination with a view to secure adequate representation of all sections of the community the standard of ability required for the efficiency of the service should not be lowered, and it will be well if the rule requiring that only a "B.A." or a "B.Sc." will be eligible for direct appointment is made as one of general application. Riding may be added as a necessary qualification.

34931 (3). Please see the statement showing the constitution of the Provincial Civil Service reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct.

34932 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—The only systems of recruitment followed in these Provinces have been those of nomination and promotion from the subordinate service. No fixed number is recruited annually. Direct appointments or promotions have been made according to the number of vacancies that occurred or according to special requirements from time to time.

34933 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend? (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—(6 and 8.) The present system of recruitment for the Executive Branch is direct nomination or promotion from the subordinate service. The system of appointment by nomination is satisfactory inasmuch as it secures due representation in the service of all classes of the community, and gives a chance of admission to qualified men of ancient respectable families which, by reason of loyal and faithful services to the State in the past, have a special claim on the patronage of Government. These may have no chance of admission if only a system of pure competition is introduced. But the system does not guarantee that only the best men will be admitted, and candidates have to wait very long before they get a chance. Since some members of this service are ultimately appointed to listed posts, it seems necessary to secure some men with the highest intellectual attainments. This can only be done by open competitive examination. Before admitting candidates to the examination, satisfactory proof of respectability and good character

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should be obtained and undesirable candidates might be excluded. The system of nomination cannot, however, be entirely dispensed with, as it is necessary in order to secure adequate representation of each important section of the community. Recruitment by promotion from the subordinate service is also very desirable in order to give a chance to men who have proved efficient as Tahsildars and who appear fit to take up the higher duties of an Extra Assistant Commissioner. I beg to suggest that two-fifths may be appointed by competition, another two-fifths by promotion from the subordinate service, and the rest by nomination. By this course the natural ambitions of the educated classes will be satisfied. Efficient men of the subordinate service who may be fit for higher posts will also get their just share, and the various communities will be also duly represented.

34934 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Ordinarily only residents of the Province are appointed, but a few years ago some outsiders were imported to represent minor communities, as qualified men were not available locally. I consider this was right. Ordinarily only residents of the Province should be appointed, but the rule may not be a hard and fast one.

34935 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend? (10). Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—(9 and 10.) The present system of training and probation is that in the beginning some light work is given to all the officers and they are required to pass the departmental examinations. This is satisfactory and I have to make no suggestions.

34936 (11). Do you consider that any change should be made in the classes of officers and appointments at present included in your Provincial Civil Service?—(Judicial Branch.) I propose that Munsifs should belong to the Provincial and not to the Subordinate Civil Service. As Subordinate Judges are invariably chosen from amongst Munsifs, there is no real distinction between the two services to justify a differentiation in the nomenclature. The existing last two grades of Munsifs might be abolished, which will improve prospects of the Service. Pleaders of three years' standing would then become available and it would then be easy to follow Rule V of the Resolution of the Government of India (Appendix A). This rule is not followed at present, as there are no direct appointments to the Provincial Service. All first appointments are made in the Subordinate Service and it is from amongst the Munsifs that appointments are made to the Provincial Service. The first appointment is made ordinarily within a few months after one obtains the degree of Bachelor of Laws at an Indian University.

34937 (12). What is the system on which the strength of the Executive Branch of your Provincial Civil Service is fixed? Do you

consider it satisfactory, and if not, what alterations do you recommend?—In spite of the several expansions of the Service, the total number of men in it is still insufficient. The volume of work has been steadily increasing in consequence of the ever-increasing complexity of the Administration. Work of new kind is being added daily to the ordinary duties. The staff is being overworked, which results in break-down. Touring has also decreased, and even when an officer goes out in camp, he hardly gets any time to look into local matters, as the whole of his time is taken up by the cases on his file and important references from head-quarters. I believe that since the cadre was revised the conditions have considerably altered. The number of men on Foreign Service now is far greater than what was anticipated. The number of those on special duty is also greater. This has to some extent been compensated by the appointment of temporary Extra Assistant Commissioners, but these appointments have been made only in the lowest grade, and the bulk of important work has fallen on the shoulders of men in the upper grades.

34938 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is a leave reserve of 14 per cent. of the strength of the Service. This is adequate.

34939 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—There is no fixed annual rate of recruitment; appointments are made according to the number of vacancies and whenever they occur. Recruitment is made partly by direct nomination of Probationary Extra Assistant Commissioner and partly by promotion from subordinate service. Recruitment by direct nomination is therefore adjusted by a consideration of the claims of deserving men of the subordinate service. This is quite satisfactory. But promotion is exceedingly slow, more particularly in the lower grades of the service. Various causes contribute to this state of affairs: among others I may mention that the service is so constituted that men who are appointed on Settlement duty, Foreign service, or any other post whatsoever, are not seconded and consequently there are no officiating promotions. Secondly, in the majority of cases members, even after they have completed 30 years' service or 55 years of their age, are permitted to stay on. In an inelastic Service like this, the natural consequence is that there are very few vacancies and the rate of promotion is necessarily very slow.

34940 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—At present promotion to the Rs. 500 a month and higher grades is not regulated by mere seniority but is governed by considerations of efficiency also. In view of the general rise in prices and the increased cost of living I would suggest that promotion up to Rs. 500 may be regulated by considerations of seniority as is done at present up to Rs. 400 grade. Promotion thereafter must be made by selection on considerations of efficiency and fitness.

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34941 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconstituted, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The present system of promotion above a certain fixed grade by selection on considerations of efficiency is very fair, and I do not think there could be any reasonable grievance on the part of the members on that account. I advocate its continuance. I am not in favour of compulsory retirement of inefficient officers, as there is no such rule at present in force for any other service and it will deprive such officers of all opportunities to reform themselves. It will be sufficient, I think, to stop their future promotions until they proved themselves efficient. Besides, at present after the Rs. 400 grade only efficient men are selected for promotions. Those that are found inefficient are thus kept back, which is sufficient. In the upper grades the subsequent inefficiency will, in the majority of cases, be due to breakdown in health, and under the circumstances stoppage of further promotion appears to be sufficient.

34942 (18). To what extent are the functions of the officers of the Executive and Judicial Branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The offices of Munsif and Sub-Judges are now quite separate from those of Tahsildar and Extra Assistant Commissioners. The former do only civil work and the latter criminal and revenue work, but in the Central Provinces they also take up suits of a civil nature that arise between landlords and tenants as such. The civil and criminal powers are combined in the District and Sessions Judge, but he does not exercise any revenue powers. I would suggest that suits between landlords and tenants as such may also be transferred to the Civil Judges. I think that the criminal and revenue powers might continue combined as at present. If executive functions are taken from an officer, it would greatly weaken his position and affect his influence.

34943 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The present arrangement by which some of the superior posts are listed as open to officers of the Provincial Civil Service is satisfactory in principle, but the number of such posts is too small and besides they are not equitably divided between the two services, Executive and Judicial, which form entirely separate cadres now. For the Central Provinces there are at present 3 listed posts, *viz.*, one Deputy Commissionership and one Judgeship and one Deputy Commissionership or Judgeship. It has been seen that out of the

alternative appointments that of a Judge has been usually filled up whereby two of the listed posts were conferred on the Judicial Branch and only one Deputy Commissionership was left over for the Executive Branch. This one post has hitherto been held by a Statutory Civilian who, in fact, belonged to the Commission, but for purposes of the listed posts has been treated as practically belonging to the Provincial Civil Service. The consequence is that so far as I am aware no member of the executive branch has hitherto been permanently appointed to a listed post. The two Small Cause Court Judgeships used at one time to be filled by members of the Indian Civil Service but subsequently they were listed as open to members of the Provincial Civil Service. They were afterwards amalgamated with the cadre of the Provincial Civil Service and after the lapse of some further time ceased to be posts of any special importance, inasmuch as Sub-Judges have also been appointed to them. Even granting that the transfer of these posts conferred any position of honour on the Provincial Service, its benefit went over entirely to the Judicial Branch. Since Executive Extra Assistant Commissioners cannot expect to be appointed as Divisional Judges their only chance remained to be appointed to the headship of a district. It is undeniable that both the services, Executive and Judicial, have been greatly reformed since they were constituted. The number of posts has been greatly increased and the emoluments have been improved by the creation of upper grades or increasing the number of posts in those grades. But this expansion has been made almost in every service and has not been confined to the Provincial Service alone. The tremendous rise in prices and the general cost of living, as well as large increase in the volume of work, necessitated an increase in the number of men as well as a revision of their rates of pay. This expansion ought not to be set off against the natural aspirations of the members of the Executive Branch for some of the prize posts. The question of the listed posts is one not so much of pay as of position. In fact members of the Provincial Service actually draw better salary in the upper grades than the members of the Commission do in the earlier stages of their career. But it has been conceded that a few selected members of the Provincial Civil Service should rise to a fixed number of the superior posts. It serves as an incentive to all the members to take special pains to make themselves efficient, and such of them as may be deemed fit might be rewarded by the conferment of this high position of trust and responsibility. Since the 3 posts were listed as open to members of the Provincial Service, circumstances have undergone great changes. The number of superior posts has increased as well as the number of men in the Provincial Civil Service. In the list H the number of the listed posts is shown as six apparently because in Berar there are three Deputy Commissioners who are Natives of India. But these officers occupied a different status when Berar was

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transferred to the Central Provinces. They were members of a Commission that was not recruited through the Indian Civil Service, but they did not belong to the Provincial Service. If for the matter of the listed posts these officers of the Commission are also treated like the statutory civilians, the result will be that for many years more no member of the Executive Provincial Service could expect to get a listed post. The amalgamation of the two Provinces has widened the field of promotion for every service. It is hoped that it would also improve the prospects of the Provincial Civil Service in the matter of listed posts. When this takes place, it is hoped that the distribution of these posts will be so made that there may be equal opportunities to members of both the branches of the service. In this connection I beg also to submit that selection might suitably be made earlier so that the members selected might reach the office at a time of life when they possess the necessary vigour and energy to take up the duties. Promising men should be marked out at an early stage of their service and the appointment may not be postponed until they reach the highest grade. Such men might be appointed for purposes of training to the minor charges known as sub-divisions carrying special allowances as soon as they reach a fixed grade. A few such charges might be created in the Central Provinces. In Berar they already exist. The present system of selecting members of the Judicial Branch only for the office of the Divisional and Sessions Judge requires modification. Members of the Executive Branch are not appointed to this office because they have no experience or insufficient experience of civil work. Members of the Judicial Branch also do not do criminal work ordinarily until they are appointed to this office. It will be well if the office of the Divisional and Sessions Judge is split up into two, the Divisional Judgeship to go to the District Judges and the Sessions Judgeship to selected Extra Assistant Commissioners.

34944 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—A listed post being merged in the Provincial Civil Service ceases to be a listed post and becomes part of the Provincial Civil Service cadre. The listed posts must always remain separate and intact, and in that case only they will be looked upon as posts of special importance.

34945 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I beg to suggest that the Provincial Civil Service may be called the Uncovenanted Civil Service, and instead of Extra Assistant Commissioners the officers may be called either Deputy Collectors or Assistant Commissioners, some other nomenclature being adopted for the present Assistant Commissioners.

34946 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally

the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle laid down in the question is satisfactory but the aim should be not only to secure men of desired qualifications for the disposal of routine work but also to secure the services of some of the best men, since some of these officers are ultimately appointed to the listed posts. This point should also be taken into consideration when the rates of salary are fixed. The scale should be so arranged that it may be attractive and should always enable the officers to maintain properly their official position.

34947 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The creation of a grade of Rs. 200 which did not exist before 1902 was not in my humble opinion justified by the circumstances. The lowest grade till then was that of Rs. 250, and the tremendous fall in the value of the rupees as well as the great rise in the level of comforts necessitated the fixation of a higher salary even for the lowest grade. But a lower grade was created which now consists of 12 posts. Men who are appointed by direct nomination have to begin with a salary of Rs. 100 per month, and on confirmation, which generally takes place after two years, they begin to draw Rs. 200. This grade takes about 5 years to pass through and the consequence is that members have to spend much longer time in the lower grades now than before. It is after the lapse of a space of about 7 years that an Extra Assistant Commissioner reaches the place where an Extra Assistant Commissioner stood at the commencement of his service formerly. The chances of promotion to a listed post have also been proportionately lessened. These poor prospects, coupled with the inconvenience and expense arising from transfers, which are more frequent in the early stages of the service, deter the majority of men of ability from going up for it. If qualified they would prefer to practise as pleaders. The grade of Rs. 200 comes as an obstacle in the way of recruitment by promotion from the subordinate service. The pay of a Tahsildar of the first grade is Rs. 250 and that of the next grade is Rs. 200. So that when men drawing these salaries are promoted to the Provincial Service they find either no increase in salary or a positive decrease in it. This has been compensated in some cases by the grant of special allowances recently but undoubtedly the difficulty still remains. A short time ago the Judicial and Executive Branches formed one service in the Central Provinces. The separation took place in 1905. A grade of Rs. 200 was retained for the Judicial Service also, but since the reorganization of 1907 the grades of Rs. 250 and Rs. 200 were abolished from the Provincial Judicial Service and such grades were transferred to the subordinate service. But so far as the Executive Branch is concerned these grades were not only retained in 1907, but the

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number of posts in them was increased. For the above reasons, as well as on general grounds, I would recommend the abolition of the grades of Rs. 200 and Rs. 250. The number of posts in the upper grades might be increased. The number of listed posts is bound to be very small, and in view of the very important administrative duties that are entrusted to the members throughout their service, and in order to render the service more attractive, two upper grades of Rs. 1,000 and Rs. 900 might be added. It would not be out of place in this connection to add that the Executive Branch is one of special importance in respect of the ordinary and extraordinary duties that are performed by them. The Criminal and Revenue work form their principal duties, but in connection with almost every other work of a special character—famine, plague, pestilence and a hundred other minor and major administrative measures of the Government—a great deal of work is transacted by these officers out of all proportion to their ordinary duties.

34948 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The present system under which officiating promotions are not made in the Provincial Civil Service is not satisfactory and has been considered as a grievance. If a time-scale of salary is not introduced, the members would welcome an arrangement by which such promotions may also be extended to them. I realize that settlement posts form part of the cadre and that it was also settled in 1907 that a certain number of officers would remain on Foreign Service in the Province. But I think that the service has not been a self-sufficient one, inasmuch as several temporary appointments have to be made in the lowest grade in order to secure the full complement of men. Besides, promotion is exceedingly slow and very few officers can expect to reach the highest grade before retirement. Either the number of posts in the upper grades might be increased so that officers may get promotions in a reasonable time, or an arrangement be made which would make them eligible for these temporary promotions. The service might be divided into classes instead of grades.

34949 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I would welcome a time-scale of salary for the entire service. But if this be impossible, it may be granted in the lower ranks until the Rs. 500 grade is reached.

34950 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I think that an Extra Assistant Commissioner may begin with Rs. 300 and may be given a promotion of Rs. 100 after every five years until the Rs. 500 grade is reached. It will take for him two years to be confirmed,

and in this way he will reach the Rs. 500 grade in 12 years. Promotion thereafter will be by selection and such of them as may be found efficient may be given an increment of Rs. 100 after every four years until the Rs. 800 grade is reached. Thereafter an increment of Rs. 100 may be granted after every three years. In this way an officer will reach the Rs. 1,000 grade after 27½ years' service. Since inefficient men will not be promoted after the Rs. 500 grade and as members who were recruited from the subordinate service will retire long before the higher grades can be reached, and further as vacancies caused by depuration or otherwise would not be filled up, the number of those in the upper grades will not be abnormal.

34951 (29). If you recommend any kind of time-scale of pay please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I have described the scheme above. No officiating promotions may then be given and no extensions of service may be granted to time-expired men except to those who are appointed to the listed posts. No charge allowance may then be paid except when an officer is appointed to the charge of an independent Sub-Division.

34952 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—In view of the changed circumstances, increase in the cost of living, and the general level of comfort, such officers may be paid $\frac{2}{3}$ ths instead of $\frac{1}{3}$ ths as at present.

34953 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I believe that officers of Provincial Service take less leave now than they did 10 years ago. This is due to increased expenses and fear of transfers which cost very heavily.

34954 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Such leave can be accumulated at present up to three months. This period might be extended. An officer may earn one month for every eleven months of active service as at present, but he may be allowed to accumulate it up to six months. Members of the Judicial Branch may be given a fortnight's leave every year on full pay and may be allowed to accumulate it up to three months. On account of the great expenses to which one is put while on leave and the cost of transfer that follows in the majority

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of cases, the members do not avail themselves of all the leave on full pay that may be due to them.

34955 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—Furlough is taken by Indian members of the Provincial Service, except very rarely, generally towards the close of their service. This is due to the fact that the majority of them find themselves in poor health and unable to continue in active service, and to complete full service with the object of earning full pension they take the furlough. If the age limit for pension is not reduced, the furlough allowed at present by the rules might continue. An officer may be allowed to take two years' furlough on half pay or one year's on full pay.

34956 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rate of furlough allowance in the case of the Indian Services requires a little modification. Instead of half average salary half salary may be allowed.

34957 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Officers on medical leave are allowed half the salary without allowances for the first fifteen months and thereafter a fourth up to a total period of three years. A man on sick leave has to spend much and may be allowed half salary for the first two years and a third for the 3rd year. Such cases are however very rare and the total cost will not be much.

34958 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The other kinds of leave mentioned might continue. In my replies to the preceding questions I have already stated what modifications seem desirable.

34959 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration and, if so, what; and what remedy do you suggest?—The present rules cause no inconvenience to the Administration. An officer cannot claim leave as of right and the grant of leave is contingent on the exigencies of the Public service.

34960 (38). In particular, are they a contributory cause of excessive transfers of officers, and if so, how can this difficulty be met?—The excessive transfers of officers are due not only to these leaves but also to the insufficiency of the staff. When an officer goes on leave, it is not possible to arrange for his work even for a short period with the remaining staff. Special necessities also arise which require transfers. But in the course of the last few years great improvement has been made and on the whole now there are fewer transfers than used to be a few years ago. To stop or reduce the leave at present permissible, will be a hardship on the members as the total period of leave in their case is just reasonable.

34961 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The artificial restrictions requiring that a fixed period must elapse between one furlough and another might be removed. Leave which is due may be always available subject to two conditions, *viz.*, that the exigencies of the Public Service permit it, and that a fixed percentage is not exceeded to ensure that a sufficient number of men will always remain on duty for the disposal of work. I have suggested some modifications in my answers to the preceding questions. I think that since the Indian Civil Service is recruited in England and the Provincial Service in India, the existing differences between leave rules must continue. Officers of the Indian Civil Service have to serve so far away from Home and in an alien climate. They certainly require more leave than an Indian officer does, as the former have of necessity to go more frequently to Europe at considerable expense to recoup their health.

34962 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system of superannuation pensions is satisfactory. Pension forms the only difference between Government and private service. If it be abolished, Government service will lose all attraction and on account of the hard work that Government service requires men of ability will, very seldom, join it. It will be impossible to maintain a high standard of morality and responsibility and there would be nothing to bind a man permanently to the service. The effects of the abolition of pension will be very far-reaching and Government in its absence will find it difficult to exercise any effective control over its servants.

34963 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—There is one matter in regard to which the present system is susceptible of improvement. An officer obtains extensions for some time after he has completed his 55 years of age. The interests of the individual officers and of the administration are served by this course, but it inflicts a hardship on the junior officers by depriving them of their promotions. I beg to recommend that this practice might be discontinued.

34964 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I am not in favour of this proposal. Under the present rules inefficient men do not rise higher than the Rs. 400 grade, and naturally they will be granted pensions calculated on their salary. They will thus get a reduced pension as compared with the length of their service and no further reduction need be made. In my reply to question (17) I have stated that I am not in favour of the proposal that inefficient men might be compelled

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to retire. Their retirement might be governed by the general rules as at present.

34965 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The maximum pension that is allowed at present is Rs. 5,000 a year. This does not suffice now under the changed circumstances and it may be raised to Rs. 6,000 a year.

34966 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—It seems necessary to reduce age limit of Indians for purpose of pension. Life in the tropical countries is of a shorter duration than in the countries with better climate. Besides, the heavy duties that are now performed contribute very much to break down in health and they reduce the life of a man appreciably. The majority of the members of the Provincial Service die while on duty and a large number of the few that retire on pension do not live long to enjoy it. The longevity of the people of India ought to be considered in deciding their age limit for pension. I think that after 25 years of service retirement on full pension may be optional and compulsory after 30 years' service. According to age, retirement after 50 years of age may be optional and compulsory after 55 years. If after 22½ years' service a man is found medically unfit for further service he may be allowed full pension just as is done at present when he has put in 25 years of service. After 15 years' service voluntary retirement might be permitted on a reduced pension. I am not opposed to any concession in this direction in the case of the European Service should it be considered necessary. A judicial officer is older than an Executive officer by about three years at the time of entry. The period of service qualifying for

pension on half pay should not be the same for both.

34967 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I beg to suggest that members of the Provincial Service might be classed as First Class Officers in the matter of the grant of travelling allowances. In the other Departments—Public Works Department, Post, etc.—the subordinates who do not occupy any better position than the Extra Assistant Commissioners, are classed as first class officers. The present rates of travelling allowance are insufficient. An officer of the Provincial Civil Service has to move across country with his tents and has to pay half the cost of their carriage. He has to go anywhere and everywhere as necessity might arise at any time of the year and has to keep permanently a separate establishment all the year round. His way does not lie always on metalled roads and he cannot depend on the inspection bungalows. His duties are of a high order. Apart from the fact that at present his tour cost him more than what he gets in the shape of travelling allowance, his position is lowered by his being classed as a second-class officer.

The scanty allowance granted at present in case of transfers is another hardship. A transfer costs very heavily and the allowance should not be governed by the ordinary travelling rules as at present. Besides there is no time-limit for transfers. The financial strain of these transfers when they take place in quick succession requires no description. The actual expenses may be given and a scale may be fixed. I would also recommend that officers' wives and families may be given free medical attendance. House accommodation may also be provided at a rental of not more than 5 per cent. of the officer's pay. Senior officers may be given some place in the Warrant of Precedence.

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WALAYATULLAH, called and examined.

34968. (Chairman.) You are Extra Assistant Commissioner in Amraoti?—Yes.

34969. You are not in favour of any system of simultaneous examination, on the ground that there will be no security that under it sufficient Europeans will be retained, and that all communities will be represented?—I am not in favour of simultaneous examination for the reason that there are so many castes and communities, with so many conflicting interests, that there must necessarily be many limitations; and under the circumstances I believe that simultaneous examination will not do in India. There will be discontent of some other kind if simultaneous examination is introduced.

34970. You say you are against separate examination in India because you think that men who pass through a purely Indian examination will be considered as inferior to those who pass through the examination in England?—The evidence of several witnesses has shown that men

who have passed through the English examination have not been considered by them as equal to Europeans. When they pass through a purely Indian examination I am afraid a great deal more will be said.

34971. Supposing the examination which was instituted in India was of the same character as the examination in England, and if subsequent to that examination the successful candidate went through a period of training in England, and then entered the service through that means, would you still say that he would be regarded as inferior to the Indian officer who entered through the London door?—I cannot say about the future, but I fear, perhaps, he would be.

34972. You propose as the alternative that a certain number of scholarships should be granted to enable students to go to England and compete in the examination?—Yes.

34973. How many of those scholarships would you grant each year?—That would depend upon

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the number of posts that may be given over to the Indians. I would leave that to the Secretary of State. Under the circumstances the only practical course that seems to me possible in India is a system of scholarships.

34974. Have you any idea in your mind as to what proportion of Indians you would like to see in the Service?—That again I would leave to the Secretary of State. I have not studied this question so well that I can give any opinion on the subject as to what proportion of Indians there should be.

34975. Would you be prepared, as an alternative, to extend the number of listed posts to officers promoted from the Provincial Civil Service?—Certainly.

34976. At what stage would you like to see officers promoted from the Provincial Civil Service?—After they have put in say about 16, 18 or 20 years' service; and not until they have reached 27 or 30 years' service as at present; because, at that time, they would be too old to be appointed to those duties; and then a comparison is made which, under the circumstances, I do not think is fair.

34977. You think that the age at which an officer reaches a listed-post is a source of discontent in the Provincial Civil Service?—Yes.

34978. Do you think that that discontent would be in any way removed if provision were made for younger men to be promoted to these posts?—No Indian has up to now been appointed to a listed-post from the Provincial Service, so far as my experience goes; and there has been only the chances of the appointment of one. We have been always looking to men in the higher grades, and those gentlemen, as must be expected, are too old, with certain exceptions, of course, as it depends very much upon the health of individuals. If arrangements are made so that men may be appointed earlier, I think it will give satisfaction.

34979. You say they are too old, and it would be better to have them younger?—Yes, I think so.

34980. I want to know whether if a young man is pushed through the service with greater rapidity than his fellows, this will not cause discontent amongst the officers in the service who are not pushed forward?—After the grade of Rs. 400 promotion is given by selection, even at present. I do not think it will have any other effect.

34981. If an increased number of listed posts were sanctioned, would that meet with general satisfaction amongst the rank and file of the Provincial Civil Service?—So far as the Provincial Civil Service is concerned, I hope it will be satisfied.

34982. Which would you prefer to see, more listed posts, or as has been proposed by other witnesses, some very definite improvements in pay, with a time-scale, and possibly two additional grades at the top of the service, one of Rs. 900, with two appointments, and one of Rs. 1,000, with two appointments?—Even if a grade of Rs. 1,200 is created, so long as the Deputy Commissioner's post is not given, they will still go on asking for the post of Deputy Commissioner. It is not a question of pay: it is a question of position.

34983. But would not the creation of a grade of Rs. 1,000 give a certain amount of position?—It will better the prospects so far as pay is concerned, but not so far as position is concerned. An Extra Assistant Commissioner in the Rs. 1,000 grade will do the same work as an Extra Assistant Commissioner in the third grade and there will be no difference in position.

34984. You propose that Munsifs should be taken out of the Subordinate Civil Service?—Yes; because there is a rule to the effect that no member of the Bar shall be appointed unless he has practised for three years. As far as I know, in the course of the last few years, this rule has never been followed, and no direct appointment has been made; and I think, perhaps, that no direct appointment will be made, since all appointments to the Provincial Civil Service are made by recruitment from the Subordinate Service. It is not necessary to keep this differentiation. It would be much better to dispense with Munsifs altogether, and to begin with Subordinate Judges, and in that case it may be possible to enforce the rule that nobody would be appointed unless he has practised for three years.

34985. At what pay would you start them?—I think they ought to begin with Rs. 300, at least.

34986. At the present time what does a Munsif of the lowest grade get?—I think Rs. 150.

34987. So that you would place the whole of the Munsifs in the Provincial Service, and give them an initial salary of Rs. 300?—I think the administration of justice is the most important branch, and that the department should never be low-paid.

34988. You complain of overwork in the service?—Yes.

34989. Could you tell us by way of illustration what you mean by overwork? What is the amount of work which you yourself have to do?—I have referred here to the Executive branch. There is no limit of work which can be given to the Executive branch. The Criminal and Revenue case work absorb almost the whole of our time, and then there is a great deal in connection with municipalities and District Boards, Sanitation, water supply, etc. We have to inspect the work of several subordinates and also the schools, factories, poison, explosives and arms-shops, petroleum godowns, ponds, etc. Besides we are given every kind of new work that may arise, such as arrangements for fairs, passage or manoeuvres of troops, famine programme, road schemes, census, hail, cholera, plague and other matters too numerous to mention. For my own part when out on tours I am so busy with cases and references from headquarters that I have hardly any time to look into local affairs. I am only sorry that I spent so much time in travelling from one place to another and yet could not do anything locally.

34990. What is the particular work you are so busy with?—In the first place, the work which we do as Magistrates is of a much better kind than used to be done. I mean to say that nowadays work of a superior kind is expected from every Magistrate. The Revenue work in the Central Provinces is of a very complicated

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nature, and in Berar it is very heavy in volume. It is too much. Our principal work consists of criminal and revenue cases.

34991. What category of work do you suggest you should be relieved of?—I do not think there is any work which could be thrown away; but there should be more men.

34992. You do not suggest any alterations in the duties of your office, but you say the duties are so multifarious nowadays that you want more officers. Is that it?—That is my position.

34993. Could you tell us whether you know of officers who are passed over in practice for promotion above the Rs. 400 grade: do you happen to know them?—I know there have been some.

34994. Have there been many instances of it to your knowledge in this province?—Very few. After some years most of them get promotions.

34995. So that they were merely delayed by a few years?—Yes.

34996. Would you like to see a time-scale right through for the service?—Yes.

34997. Would you favour a break in the middle of the scale, where officers should be selected for the second compartment on their merits?—I have said that after the fixed grade of Rs. 500 it should be by selection, otherwise the whole lot will get into the highest grade.

34998. You favour that proposal?—Yes.

34999. To what extent in this province are officers given extensions of service after 55 years?—With few exceptions almost all have been given extensions for some period.

35000. You say a considerable number of officers are getting extensions?—Yes.

35001. You suggest that they should be retired at 55. Would you not allow any latitude?—The reason is that there are no officiating promotions for us. It is hard for juniors. If a man goes on Foreign Service Settlement duty nobody is appointed in his place. There is only one chance of promotion, namely, when a man permanently quits the Service. If he continues on extensions the juniors do not get promotion.

35002. Would you make a hard-and-fast rule?—I think so. Men, when they get too old, do not do as much work as others do. They may be experts in some branches, but as far as the volume of work is concerned, I think the younger men do more work than the older ones.

35003. You are making the proposal more from the point of view of helping promotion than from the point of view of administration?—I think both, but I would leave the question of work, because the administration knows it better. So far as the claims of the members of the Provincial Service for promotion are concerned, I think they ought to retire.

35004. You make rather a startling statement in answer to question (4) when you say: "The majority of the members of the Provincial Service die while on duty." Is that the case?—Yes.

35005. Is that a statement of fact?—I have seen very few retirements. Perhaps the Comptroller could give you the figure. My belief has been that most of them die. I may be wrong in that. I think statistics might be obtained of how many have actually retired and drawn pensions.

35006. You make specific suggestions with regard to improvements in the Service, and suggest that "members of the Provincial Service might be classed as first-class officers in the matter of the grant of travelling allowances." Do you regard that as important?—Very important.

35007. You also recommend that officers' wives and families should be given free medical attendance?—Yes.

35008. Is there any fund under the terms of which the wives and families of officers can get concessions in the matter of medical attendance?—No, there is no such fund.

35009. You also say:—"House accommodation may also be provided at a rental of not more than 5 per cent. of the officer's pay." Are any officers in the Provincial Civil Service in this province granted house accommodation?—In some cases houses have been given, but not in all places.

35010. Do you mean that in some parts of the province officers get free house accommodation?—No, not free house accommodation. In some places Government build houses for them, but they have to pay rent for them?

35011. You want to limit that rent to 5 per cent. of the officer's pay?—Yes.

35012. (Sir Murray Hammick.) With regard to this question of holding provincial posts young, supposing you had four listed Deputy Commissioners, and supposing out of that the Government made a rule that three of them should be posts to which young Provincial Service officers should be appointed, that is to say that they would put in a Provincial Civil Service officer, and watch his career, say, for three or four or five years, and perhaps more, and then put him in as Deputy Commissioner, if they reserved one of those four appointments as a reward for long service in the Provincial Service, giving it to a senior man who had done fifteen or twenty years' service, that would enable the young man who was appointed to the Deputy Commissionership to rise higher in the service, and perhaps hold a Commissionership if found fit, while the older man who got his Deputy Commissionership late in life would probably be retired as Deputy Commissioner. Do you think if an arrangement of that sort were made the Provincial Service generally would welcome it as an encouragement to good work in the Provincial Service?—I do not say that men should be appointed so soon. I do not know, because no appointment has been made, but I expect that appointment will be made only when a man is in the highest, the Rs. 800 grade. That will generally be at the end of his service. I only mean that these appointments should be made earlier. The rule should be that he would be eligible for that appointment after a certain grade has been reached, and not before, no matter to what grade he belongs, whether the Rs. 600 or the Rs. 700 or the Rs. 800 grade.

35013. The objection to that arrangement is that the Provincial Service man who holds a listed appointment can never hold the appointment until he is too old, whereas if he is put in when he is young he might possibly rise high and be a Commissioner and hold a division. That would satisfy, more or less, the desires of some people who want

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to get into the Civil Service. The objection which the Chairman put to you was that if these appointments were given away young it would not encourage the ordinary service man to work. What I say is, could it not be done as is done in some other Departments? Could not you give some proportion of your appointments to senior men and allow the rest to be held by junior men, so that the men could rise to higher appointments in the Service?—I think for the present we may only make such an arrangement that some of the Provincial Service men could rise to Deputy Commissionerships. The question of Commissionerships is very far yet, seeing that none has been appointed to a Deputy Commissionership hitherto.

35014. (*Mr. Macdonald.*) Why would you recommend officers' wives and families being given free medical attendance?—Because they are sent to places which are unhealthy, sometimes, and they require medical attendance.

35015. But does not that all come in pay?—Yes, it comes.

35016. Could you not very materially increase the catalogue, and ask the Government to supply them all? What about free food?—I only put this as a suggestion. Officers get free medical attendance even now and it will only be an extension of the same principle. It was only put in amongst miscellaneous things. I do not press it very much. It is not so important.

35017. You suggest that 5 per cent. of the officer's pay should be charged as rental. Do you know any place where the house rent would come up to 8 per cent. of the officer's pay?—Whatever the accommodation I am bound to pay 10 per cent. If it is a large building like this, or if it is a small hut, if it happens to be Government property, I believe I have to pay 10 per cent.

35018. But if the rent of the house comes to 7 per cent., you would not have to pay 10 per cent.—I know in my own case I wanted to pay a rent of Rs. 25, but I was told that they must charge me Rs. 30. In the end they let another man have it for Rs. 15.

35019. Did the Government do that?—They said it was not worth more than Rs. 15, but under the rules I could only get it for Rs. 30.

35020. I think you will find that whatever happened will have to be explained on some other grounds. But the point of this is that whatever you put into this catalogue, it is really an increase in pay, is it not, whether for medical attendance for wives and families, and house rent at 5 per cent. instead of 10 per cent?—Yes.

35021. The Government has to pay it?—That was only a suggestion. I do not press it.

35022. (*Mr. Sly.*)—You have suggested an alteration in the rules for the recruitment of the Provincial Civil Service by promotion from the Subordinate Service. Your suggestion, as I understand, is that no member of the Subordinate Service should be promoted to the Provincial Civil Service unless he is a graduate?—I say appointments by nomination, not by promotion.

35023. Look at your answer to question (2) of the Provincial Civil Service series. You say: "It will be well if the rule requiring that only a B.A. or a B.Sc. will be eligible for direct

appointment is made as one of general application"?—In my answer I say: "I have only to suggest that in making appointments by nomination with a view to securing adequate representation of all sections of the community the standard of ability required for the efficiency of the service should not be lowered." I do not say that in the case of promotion from the Tahsildars' line.

35024. That is the rule at present, is it not?—No, I think not. The members of the Anglo-Indian community can be appointed.

35025. You have also suggested that Munsifs should be included in the Provincial Civil Service?—Yes.

35026. Do you not think that difficulties would then arise with regard to the posts of Tahsildars: would you also recommend that Tahsildars should be included in the Provincial Executive Service?—No.

35027. Then, on the one hand, you wish the Judicial Service to include Munsifs, and on the other hand, you wish to exclude from the Provincial Executive Service a class of officers who are ordinarily held to be of the same rank?—The comparison between the two Services ceased to exist long ago, when the Rs. 200 and the Rs. 250 grades were abolished on the Judicial side; but on the Executive side grades of Rs. 200, and Rs. 250 were retained. So that I do not think there is any comparison now between the two Services; the two Services will be entirely separate, and there will be no comparison.

35028. Is it not the case that in status the Munsif and the Tahsildar are considered about equal?—Yes, they are, just as Police Inspectors are equal to them.

35029. With regard to your answer to question (18), how many years have you been a Magistrate?—Fourteen or fifteen years.

35030. Have you found throughout that period of your work as a Magistrate that your discretion as a Magistrate with regard to the decisions of cases has ever been interfered with by the District Magistrate?—No.

35031. Never?—No.

35032. (*Mr. Fisher.*) You are in favour of recruiting two-fifths of the Provincial Civil Service by competition?—Yes.

35033. Am I to infer from that that there is any feeling of dissatisfaction in the Provincial Civil Service with the present method of appointment by nomination?—No, candidates have to wait for a very long time, because it depends only on selection. When there is an opening for them through the competitive examination, some persons might try for it and might get in sooner.

35034. You also think that it would be a surer way of obtaining a better class of ability?—Yes. If competitive examination ensures the best type of men to be procured, in that case I think competitive examination would certainly give us the best type of men.

35035. Have you in your mind any particular cases of able young men who would have been brought into the Service by competitive examination, but whom the Service has failed to secure in these provinces?—Up to now I have not considered this question. As far as I know, such

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gentlemen would have been successful in some other line. They become Pleaders or Barristers. There is a desire for competitive examination among graduates now, and they desire that appointments may not depend entirely upon selection. I think there may be some selection, and then there may be competitive examination, but there should be some test.

35036. In other words, you would recommend a combination of nomination and examination?—Yes.

35037. (*Sir Theodore Morison.*) I want to have your opinion as to the advantage you have noticed with graduates from Indian Universities going to complete their education in England. It has been suggested to us that if there is an examination held in India the period of probation should be in England, and that Indians so selected should pass through an English University. What do you think, from your own experience, is the value of that education?—I cannot say, because I have been in India the whole of my life; but when people go to England and return after a couple or three years, I have found them to be somewhat different men altogether.

35038. Are they better?—Yes, they are better.

35039. You think, on the whole, that it is an improvement?—I do not know, but I am told that if they turn out to be bad, they are the worst people. It depends upon the circumstances. If, on the other hand, they fall into good society, and I have seen only such people, I have always found, and I believe, that the training in England is something quite different from what it is in India.

35040. If you had to recommend a friend as to what education he should give his boy, would your recommendation include, suppose he could afford it, a period of education in England?—Certainly. If I live I should like my sons to be educated in England.

35041. Do you hold the view held by some Muhammadans that some of the most forceful and original members of their community have been persons who have had no English education at all?—Yes.

35042. Do you hold that view?—Yes, men of character.

35043. Do you think that the education given in Indian Colleges, which is wholly, or almost exclusively, an English education, does not produce the same forceful and original character as is produced, on the one hand, by a purely English education, and, on the other hand, by the old Muhammadan education?—It depends upon the training which is given at the various Colleges. There are some Colleges which have got a very good name. Students leaving those Colleges are considered superior to the students who leave the other Colleges.

35044. What is your opinion?—I think there is some difference.

35045. Do you notice any difference between students of good Colleges and the students of other Colleges?—Yes, in point of character.

35046. If you had to make an appointment, would you make any difference between a B.A. of one College and a B.A. of another College?—Whenever I enquire of any gentleman who has

passed an examination the first question I put to him is, "From what College?"

35047. It is your opinion that the value of the B.A. degree which a man has differs according to the College he comes from?—Yes, I think it does.

35048. How did you yourself get into the Service, by examination?—I passed only my B.A. examination.

35049. You passed at the head of the B.A.'s in your year?—Yes. You know it very well. I was your student.

35050. You passed at the top of the University?—Yes.

35051. Did you go in for open competition to enter the Service?—No. I began as a Munsif here. I was a Tehsildar only six months. It is now nearly thirteen or fourteen years that I have been Extra Assistant Commissioner.

35052. In your case there was no combination of nomination and selection?—No, and no recommendation either.

35053. How was it done?—I applied to the Chief Commissioner, and I got my appointment. I thought "I must work hard and give satisfaction and then I shall get promotion."

35054. (*Lord Ronaldshay.*) What is the nature of the post in Berar to which you refer towards the end of your answer to question (19)? Referring to the young men of the Provincial Civil Service you say: "Such men might be appointed for purposes of training to the minor charges known as sub-divisions carrying special allowances as soon as they reach a fixed grade." In Berar they already exist?—Yes. There are three sub-divisions where there is an allowance of Rs. 100 for the European officer and Rs. 60 for the Indian, at Basim, Khamgaon and Elichpur.

35055. Are those regarded as inferior listed posts?—No, members of the Civil Service or members of the Provincial Civil Service have been appointed to those posts.

35056. Why is a special allowance attached to these special posts?—They are important places. Elichpur was the head-quarters of a district. It was abolished after the amalgamation of Berar and the Central Provinces. Basim was also the head-quarters of a district.

35057. I understand what you would like to see done would be that certain inferior posts, which are now merged in the cadre of the Provincial Civil Service, but which were originally Indian Civil Service inferior posts, should be distinguished from the ordinary Civil Service posts in order that young men in the Provincial Civil Service may be picked out to fill those posts and undergo a period of training with the view of being subsequently promoted to superior listed posts. Is not that what you mean?—Yes, they should remain separate: they should not be merged.

35058. You want to have these inferior posts definitely listed and not merged with the other posts in the Provincial Civil Service?—Yes.

35059. In connection with that suggestion, what do you mean by your answer to question (21) when you say that, "Instead of Extra Assistant Commissioners the officers may be called either Deputy Collectors or Assistant Commissioners?" Why do you want them to be called

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Deputy Collectors or Assistant Commissioners?—I object to the word "Extra" because Assistant Commissioners and Extra Commissioners do exactly the same kind of work throughout until the Assistant Commissioners are appointed Deputy Commissioners. I should like some other name without this word "Extra."

35060. But you do not desire that these officers should hold the same title as the Indian Civilians occupying similar posts?—Not necessarily.

35061. But Indian Civilians at present are called Deputy Collectors and Assistant Commissioners?—I have said further on, "Some other nomenclature being adopted for the present Assistant Commissioners."

35062. I want to know what nomenclature you suggest for these men?—That is very difficult for me to answer; but I have an objection to the word "Extra" there.

35063. (Mr. Standen.) Supposing a man has been selected for a superior listed-post, do you think it would enhance the estimation he is held in by the public and the rest of the Service if he were appointed to an inferior listed-post in the Commission, and were regarded as a member of the Commission from that time?—Yes, I think he will rise in estimation.

35064. Do you think that would have any effect upon his efficiency afterwards when he was holding a superior post? Supposing for two or three years he had been regarded as an Assistant Commissioner on the Commission, and was then appointed to a district, would his assistants regard him then with greater respect than if he had been appointed direct from the Provincial Civil Service?—Yes, I think they would.

(The witness withdrew.)

RAI BAHADUR PUNDIT BISHUN DUTTA, SHUKLA, I.B.A.

Written answers relating to the Indian Civil Service.

35065 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I am satisfied with the principle of the present system of recruitment by open competitive examination in England for the Indian Civil Service, so far as those who can afford to proceed to England for competition are concerned.

35066 (2). In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—This practically shuts out most of the peoples of India, especially the most respectable of them, and the majority of its best intellects. The result is, that India is not at all fairly represented in the Indian Civil Service. If competitive examinations were held simultaneously in England and India, I believe the Indian element in the future Civil Service of India will be more representative and probably more efficient. I mean no reflection on the present Indian members of the Service.

35067 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As implied in my answer to question (2), it practically excludes the majority of the Indians, and the best of them, from the Indian Civil Service. It does not afford them the same facilities as are allowed to Natives of England, for admission to the Covenanted Civil Service, to which they are duly entitled. Moreover, the system is not suitable, on account of prohibitive expenses. The risk of failures is also very great and the Indians are thus at a great disadvantage, on account of the examination being held in England only, which accounts for the paucity

of Indian members in the cadre of the present Indian Civil Service. In the Central Provinces and Berar, I find there are only five Indians in the Civil Service against a total of 98, i.e., a little more than 5 per cent., and so far only 84 Indians have been able to join the Indian Civil Service, against 2,643 Europeans, in the whole of India.

35068 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In my opinion the combination of the open competitive examination for the Home Service with that for the Indian Civil Service is conducive to the best interests of Indians, as it will render the best talent of the United Kingdom available for the Indian Civil Service. But I am not in favour of combining the Colonial Service with the Indian Civil Service, in view of the policy of exclusiveness adopted by Colonials, in respect of the Natives of India.

35069 (5). If you do not consider the present system of recruitment to be satisfactory in principle, please state what alternative you would propose?—An answer to this is not necessary, in view of the remarks I have already made in connection with the preceding questions.

35070 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am entirely in favour of a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty. In my opinion there should be the same examination held simultaneously in England and India and a common list drawn up and those at the top of the list should be selected to fill the number of appointments required. In short, the examination in India should be on all fours with

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that in England, securing perfect equality in the status of the members of the Indian Civil Service, recruited in both the countries. The introduction of such a scheme would be regarded by the Natives of India as a great boon conferred upon them, doing full justice to their claims and being quite in accordance with the spirit of the Great Charter of 1833 and the Proclamation of Queen Victoria (1858) which they regard to be the Magna Charta of their rights and privileges. I do not wish that any opportunity should henceforth be given for the repetition of the remarks made by the late Duke of Argyll, who said in 1893 "we have not fulfilled our duty or the promises and engagements we have made." The exclusion of the Natives of India from the Civil Service of their own country was already anticipated by Lord Stanley when the present system was introduced and he then declared that he could not refrain from expressing his conviction that in refusing to carry on examinations in India as well as in England—a thing that was easily practicable—the Government were, in fact, negating that which they declared to be one of the principal objects of their Bill and confining the Civil Service, as heretofore, to Englishmen. For these very reasons, the present state of things ought to be improved.

35071 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not at all in favour of any system of recruitment, other than what I have already suggested. A system of recruitment by means of a separate examination in India may draw an invidious line of distinction between the two different classes of recruits, which is not desirable. But if it cannot be decided to hold simultaneous examinations in India and in England, I would then recommend a separate examination for the whole of India of the kind suggested above, provided the standard is fixed as high as that of the Indian Civil Service examination in England and that none but graduates of the Indian Universities should be allowed to compete. I would not allot more than 30 per cent. of the total number of posts of the Indian Civil Service to such recruits.

35072 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think that

intellectual and moral fitness only should be considered in recruiting members for the Civil Service. It is neither practicable nor desirable to introduce the principle of class-representation in the Civil Service. In India, as in Europe, the cultured classes alone can be adequately represented in the Civil Service without sacrificing its efficiency. The only difference, I believe, is that in England there is hardly any class which is uncultured. It is no good, nor has there arisen any cause for, trying to secure from amongst Gonds, Bhils, Julahas, etc., representatives to fill places in the Indian Civil Service. The cultured classes amongst Hindus, Muhammadans, Christians, etc., will have their representatives in the Service without any especial provision in that behalf, if examinations are held in India. I strongly desire that no class should consider itself unjustly treated.

35073 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes, I do not see any reason why the Natives of both the countries, subject to one and the same supreme authority, should not be prepared to equally participate in each other's advantages.

35074 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—I should suggest that the Judicial Branch of the Indian Civil Service be recruited by means of a separate open competitive examination simultaneously held in India and in England, at which none but graduates of Law should be allowed to compete. A more comprehensive study of Law should be the special feature of the above examination. And a system of practical judicial training should be devised, which every candidate should be required to undergo, in order to fully acquaint himself with the actual working of the Courts of Law in India, during the probationary period, before taking up an independent charge of his duties.

35075 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in Section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled "within the Dominions of His Majesty in India; of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I think the definition is satisfactory except in this particular that it excludes subjects of Indian Princes. They should not be excluded as they look upon the Emperor of India as their Sovereign.

35076 (13). If the system of recruitment by open competitive examination in England is re-

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tained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—I am quite satisfied with the present age-limits, which have been arrived at after much discussion and experience. They should never be reduced. On the other hand, I may suggest that the maximum age for those competing for the Judicial Branch of the Indian Civil Service should be raised to 25, in order to admit members of the Bar.

35077 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—In my opinion 25 is the most suitable age, as we always want to have men of ripe intellect, having a better knowledge of human affairs, as members of the Civil Service.

35078 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reason? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—As already stated, the present age-limit best suits candidates who are Natives of India, as it enables them to complete their college education and take their degree between 20 and 22. I am not in favour of any different treatment in respect of age for any subject of His Majesty. Had not the matriculation standard been raised to 16, then it would have been quite fair to have made it to 22 or 23. In my opinion it is desirable that one must go up for the Indian Civil Service examination after passing the B.A. examination.

35079 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Although I have no experience of the open competitive examination, still I may venture to suggest the marks allotted for Sanskrit and Arabic should be the same as for Latin and Greek, and Hindi may be included as one of the subjects, because it is recognized to be the "*Lingua Franca*" of India. I would also suggest that Indian History should be introduced with the same number of marks allotted to it as are assigned to Greek or Roman Histories. Italian may be omitted.

35080 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I do not think any differentiation in the subjects for the open competitive examination in England is desirable between Natives of India and other candidates.

35081 (18). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions pro-

perly be admitted?—A minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration. As to what that minimum should be, it is yet too early to consider. That proportion can only be fixed after experience gained from a much larger employment of the Natives of India in the said posts. Even after the introduction of simultaneous examinations, I do not think the Indian element among the successful candidates will unduly preponderate for years to come. It will not take less than half the life-time of a generation to produce candidates, equal to meet English candidates in their own field. At present the probability is so remote that it is an utter impossibility.

35082 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

35083 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so; what method of recruitment would you recommend?—The Statutory Civil Service should not be revived. But, if my suggestion for simultaneous examinations is not accepted, I think it will be necessary to revive it, provided none but graduates of Indian Universities and members of high and respectable families are deemed eligible for selection.

35084 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—No.

35085 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—If simultaneous competitive examinations are not held in India and England, the system should be retained and supplemented by introducing rules which would attract more competent Indians to the Provincial Service and would admit of increasing the number of "listed-posts" to one-fourth of the total number of posts in the Indian Civil Service.

35086 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed-posts?—No.

35087 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I am not satisfied with the system of merging the inferior listed-posts in the

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Provincial Civil Service, because those pests have been so completely merged in the Provincial Civil Service as to lose their identity.

35088 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If simultaneous examinations are not to be allowed, the "listed-posts" should be increased in number.

35089 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

35090 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation should be two years, to be spent in England, in case of Indian candidates, while in case of Europeans, one year in England and one year in India would be necessary in order that arrangements could be made for securing to the probationers the benefit of experience of the competent and sympathetic senior members of the Civil Service, in case of those meant for judicial service also of competent members of the Indian Bar.

35091 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary except that special attention should be paid to the mastering of Indian languages, by probationers other than Indians, as this deficiency of the knowledge of vernaculars of the people of India, on the part of civilian element, contributes largely to the creation of racial apathy and ill-feeling. In my opinion no period of probation should be deemed completed without their satisfying a thorough test of the knowledge of the Indian vernacular.

35092 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In my opinion the probationers' course of instruction could best be spent partly in England, and partly in India unless simultaneous examinations are held in India, in which case "Natives of India" may be required to pass the full period of their probation in England, and due facilities should be given to them to gain a clear insight into the actual working of the British institutions.

35093 (33). Do you think it desirable to start, at some suitable place in India, a College for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think it desirable to start at some suitable place in India a College for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England.

35094 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—My answer is in the negative.

35095 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have not much to complain of in the present arrangements for the training of junior officers of the Indian Civil Service, after they have taken up their appointments in India, but I have to strongly urge the necessity of a special sort of training to be given to a young civilian, during the first two years of his official career, by always placing him under a senior Collector, who has already proved his aptitude for the administrative work, by combining in himself the superior qualities of head and heart. It is during this period that every junior civilian should be clearly given to understand that to sympathise with the people is the part and parcel of his duty. He should be given frequent opportunities to mix with the people, among whom he will have to move. It is in the very early years of his service that he should be able to master the language of his own district and get himself into the habit of showing due regard to the feelings and habits of the Indian people, whom he has come to govern. To be brief, every junior civilian should be strongly impressed with the full significance of the "great Political Law" of Lord Morley, our late Secretary of State, which enjoins that:—"To govern men, there is but one way, and it is an eternal truth—get into their skins. Try to realise their feelings. That is true of Government." I also draw attention to the following advice of our Gracious Sovereign, given in his famous Guildhall speech, which deserves to be written in letters of gold in every Court-House in India that:—"I cannot help thinking from all I have heard and seen that the task of governing India will be made the easier if we, on our part, infuse into it a wider element of sympathy. I will venture to predict that to such sympathy there will be an ever abundant and genuine response."

35096 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—In my opinion there has been much deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. They are not adequately proficient in the languages of India which but few of them can speak fluently. The causes, I think, are chiefly these:—(i) There are more English-speaking Indians now than before. (ii) Their visits to Europe are more frequent now than before. (iii) The general impression is that officials of the day are much more over-worked

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than their predecessors and have but little time left to mix with the people of their district. This has been admitted by the highest authority controlling the affairs of India. Lord Morley clearly pointed out to the Indian Civil Service probationers on Saturday, June 12th, 1909, at Oxford that:—One of the worst drawbacks of the modern speeding up of the great wheels of the machine of Indian Government is that the Indian Civil Servant has less time and less opportunity than he used to have of bringing himself into close contact with those with whose interests he is concerned. (iv) The Departmental vernacular examination is very easy. I suggest the following remedies:—1. Visits to Europe should be less frequent. 2. The executive officers should be entirely relieved of their judicial functions, in order to save time, with a view to come in close contact with their people and freely converse with them, in their own language. 3. The Departmental examination in the vernacular should be made more stiff.

35097 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—In my opinion the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished. The abolition should be restricted to future entrants.

35098 (47). Turning now to the case of the Statutory Civilian and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I don't think there should be any difference in pay of persons holding the same appointment and discharging the same duties.

Written answers relating to the Provincial Civil Service.

35099 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendation to make for their alteration?—The general conditions governing recruitment to the Provincial Civil Service are satisfactory except that recruitment under the present system is restricted to nomination. In my opinion it should be substituted by competitive examination, subject to certain limitations, with a view to redress inequalities, and secure promotion for qualified members of the Subordinate Service. I do not think it is desirable that Europeans who are not statutory Natives of India should be eligible for appointment in the Provincial Service, even if otherwise qualified.

35100 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—In my opinion rules should be so framed as to admit of recruitment by competition, supplemented by nomination. Half of the total number of posts should be thrown open to competition and the other half to nomination. High character and family prestige should be taken into consideration in making selections by nomination and none should be deemed eligible for the same, unless he is a graduate. I further think that one intellectual test should be applicable to all and it is not desirable that any relaxation need be made, in case of communities other than Indians. Hence all the words should be deleted after the word "University" in rule (3). As for judicial posts, none but Law Graduates should be deemed eligible.

35101 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—In my opinion the recruitment for the Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs.

35102 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think all classes and communities going in for Government service are fairly represented. This is, of course, desirable and recruitment by competitive examination, supplemented by nomination, will meet the requirements of our province. Of the total number of posts in the Provincial Service (96), on 1st January 1913, 27 were held by Muhammadans, 50 by Hindus, 14 by Eurasians, etc., 4 by Parsis and 1 by Jew.

35103 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I have no fault to find with the existing arrangements for the training and probation of officers appointed to the Provincial Service.

35104 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—In the Provincial Service of our own Province, there are 8 grades, the lowest carrying Rs. 200 per mensem, while in other provinces there are 7 grades only, the lowest beginning at Rs. 250 per mensem. The cost of living having gone up much higher than what it was a few years back and in view of the highest pay to which an executive member of the Subordinate Service is entitled, which is Rs. 250 per mensem, it seems desirable to have the grade of Rs. 200 abolished. There has also been a general complaint that, at present, the members of the Provincial Civil Service have to pass a considerable portion of their service in the lower grades, and the result is that but few have been able to reach the highest rung of the ladder. The per-

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centage of the number of posts allotted to different grades comes to the following:—

1st grade	2-4
2nd "	3-6
3rd "	6-12
4th "	14-28
5th "	23-46
6th "	24-48
7th "	14-25
8th "	12-24

In my opinion the number of posts in higher grades should be raised.

35105 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—In Central Provinces executive officers exercise judicial functions in criminal cases and in civil suits between landlords and tenants. In my opinion judicial functions should be entirely withdrawn from executive officers.

35106 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a con-

sideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed, is suitable. But, in my opinion, the posts in the Provincial Civil Service carry high prestige and the members thereof have to maintain the dignity of their position, in the eyes of the public. This is a fact which should also be taken into consideration, in fixing salaries.

35107 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I have only to suggest here that Munsifs should also be included in the Provincial Service, as they are generally recruited from the very class of Law Graduates, which supplies our Sub-Judges and the duties of both are almost similar. Hence it is but proper that they should belong to one and the same service.

RAI BAHADUR PUNDIT BISHUN DUTTA SHUKLA called and examined.

35108. (Chairman.) Will you tell us what public positions you fill?—I am a landholder and Honorary Magistrate of the First Class and Vice-President of the Sehora Municipal Committee, and a Member of the District Council of Jabulpur.

35109. To what caste do you belong?—I am a Brahman.

35110. You are in favour of establishing a simultaneous examination in England and in India?—Yes.

35111. You admit the necessity for a minimum of European officers in the Indian Civil Service?—I do not say that there is any necessity for fixing the proportion, but I think a minimum is necessary.

35112. Under a scheme of simultaneous examination such as you suggest you would take no steps ensure to that minimum?—I say it would be premature to consider that, unless we have got a fair trial of that competition.

35113. Would you leave it to chance to secure that?—Yes; but then the chance is so remote that it would not come within the range of practical politics.

35114. What reason have you for saying that it is remote?—In the first instance, Indians have to master the English language, which is foreign to them. I do not think for a long time to come that Indians will be able to compete successfully with Englishmen; therefore I say that at least for some years to come there is no necessity for fixing the proportion.

35115. If the minimum was being encroached upon and it was found necessary to institute rules by which the candidates who had passed had to be rejected, would not that be politically dangerous?—No; because we are all agreed that we must have a minimum proportion of European subjects

in the Civil Administration and therefore there will be no political danger in introducing a new scheme.

35116. If you are all agreed, as you say, that there should be a proportion, why not fix that proportion when you are establishing your new form of examination?—At present we are unable to say how the scheme will work. We must have some experience of it.

35117. What objection is there to fixing a reserve in the early days of your scheme?—That, again, might be imposing a sort of racial difference, even at this stage.

35118. But will not that racial difference have to be faced eventually?—It will be just saying that we are given competitive examination but only so many Indians will be allowed to come in and no more. Hence I say it is still premature to consider that and we should try to avoid it till it is justified by future experience, when more would oppose it.

35119. In your answer to question (7) you say: "A system of recruitment by means of a separate examination in India may draw an invidious line of distinction between two different classes of recruits, which is not desirable." Why do you think that an examination in India with a limit attached to it should carry with it a stigma?—It may be thought that the standard of that examination may not be so high as that of the English examination.

35120. If the standard were as high, would you still hold the same opinion?—Then the members who came through the English door might say that those who came in by the Indian door were not equal to them in merits. I have suggested that if we cannot have simultaneous examination we must have separate examination as an alternative.

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35121. You suggest that officers now-a-days are overworked in the Service here. Would you tell us a little more about your experience in this respect?—As a landholder I have often come into contact with the European District Officers of our district, and they say they are really over-worked. That is what I have often heard from them. That prevents them from mixing with the people very often.

35122. You are speaking now of the Indian Civil Service?—Yes.

35123. Do you suggest that the staff of officers in this province is inadequate to carry out the work?—As far as that is concerned, I cannot say anything. I can only tell you that when I have come into contact with them they do generally complain of that.

35124. You suggest that the Judicial Branch of the Service should be recruited by an entirely separate examination?—Yes.

35125. What advantage do you see in recruiting in this manner?—I think that the members of the Judicial Branch should have a greater knowledge of Law, and therefore I thought that they should be generally members from the Bar; but in order to avoid the method of selection I have suggested competitive examination.

35126. You would like to see all the officers who formed the Judicial Branch of the Service recruited from the Bar?—They should be Law Graduates. That is my view.

35127. Supposing the present open competition were retained, and there were more facilities for training in Law for those who took up the Judicial Branch, would not that meet your view?—I should have no objection provided they are given more legal knowledge.

35128. It is their legal knowledge which you are anxious to see improved?—Quite so.

35129. You urge the claims of the Provincial Civil Service to better pay. Do you think that if better pay were granted to the Provincial Civil Service in this province it would attract a better class of men than are now attracted to it, or do you think that it already attracts to it the best class of men in the province?—In our province I think it attracts the best class of persons. The Extra Assistant Commissioners generally begin at the lowest grade on Rs. 200 a month, while the Tahsildar in the Subordinate Service gets Rs. 250. That position is rather anomalous.

35130. Would you like to see Munsifs placed in the Provincial Civil Service?—Yes.

35131. What is your reason for desiring to see that?—The Munsifs are supplied from the same class of persons, and they have to do the same class of work.

35132. What would you like to see as the lowest rate of pay for Munsifs?—That I would leave for the Secretary of State to decide.

35133. Would you be in favour of seeing a time-scale established for the Provincial Civil Service?—I have not considered that question.

35134. (Lord Ronaldshay.) I should like to ask you about your answer to question (24). You say: "If simultaneous competitive examinations are not held in India and in England, the system should be retained and supplemented by introducing rules which would attract more competent Indians to the Provincial Service." What sort of rules had you in your mind when you suggested

that?—The manner in which those posts are filled at present has not been found very popular; and therefore there should be some rules in order to attract more competent Indians to the Provincial Civil Service.

35135. What rules would you suggest as best calculated to attract more competent Indians to the Provincial Civil Service?—That is a matter of detail which I leave for the Commission to decide.

35136. But it would be more helpful to us if you, who know the conditions of the Provincial Civil Service from personal knowledge, would suggest something by way of assisting us. In what way do you think that the Provincial Civil Service might be rendered more attractive than it is now?—The number of listed-posts will have to be increased to one-fourth at least, because, at present, the number of listed-posts is but limited. The manner in which the listed-posts have been filled has not satisfied the aspirations of the best men in the Provincial Civil Service.

35137. But generally speaking, apart from matters of that kind, do you think that the Provincial Service is a service which will attract men of the best family in the country?—Yes, under the present circumstances, when they have got no better chances of entering into the Indian Civil Service, then they are attracted by the Provincial Civil Service.

35138. When an ambitious young Indian student wishes to go into the Provincial Civil Service, what does he do? He goes to a University, and I suppose he passes his B. A. degree at the age of, shall we say, twenty: when he has done that, what steps does he take in order to get into the Provincial Civil Service?—He goes to some influential man, and asks his favour to recommend him to any officer, and then he applies to such officer. When the proper recommendation is made I think he is selected for some post in the Provincial Civil Service.

35139. Then, perhaps, he may have to spend two or three years after he has got his degree before he is appointed to the Provincial Civil Service?—Quite so.

35140. What would he be doing during those two or three years?—He would be going from here to there seeking favours, and, of course, attending different officers. If he cannot get in in one district, he will try another.

35141. To put it in plain English, he has to go touting around for certificates from various officers?—Yes; and that is what is being done.

35142. Is that a good system, do you think?—No, certainly not.

35143. What do you suggest as a better system to take its place?—In my answer to question (51) of the Provincial Civil Service questions I have suggested competitive examination supplemented by nomination.

35144. You suggest competitive examination subject to certain limitations. I do not quite know what you mean by these limitations. What limitations would you impose upon competitive examination?—I had in mind that they should be supplemented by nomination, subject to certain limitations. I say: "In my opinion it should be substituted by competitive examination subject to certain limitations, with a view to redress inequalities and secure promotion for qualified

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members of the Subordinate Service:" not purely competition: that is what I meant.

35145. (*Sir Theodore Morison.*) Would you tell me what you mean by your answer to question (21)? Do you suggest that if simultaneous examinations are not instituted you would revive the Statutory Civil Service with two qualifications or provisos,—first, that they should be graduates; and, secondly, members of high and respectable families?—Yes.

35146. Do you think it is necessary in the present circumstances in India to insist upon good birth and good family?—Of course some value is still attached to it.

35147. By whom?—By the general public.

35148. Do you think they have a higher esteem for a man of good family?—Yes.

35149. Have they got it still?—It still continues.

35150. When you say "High and respectable families," what class of people do you mean—large landowners?—Yes, ancient families, Hindus and Muhammadans, and big landowners.

35151. Big landowners, that I can understand. Anything else?—No.

35152. Nothing else?—Nothing else.

35153. Among the territorial aristocracy, that sort of people?—Yes, that sort of men.

35154. You had no reference to caste, or anything of that sort?—Not at all.

35155. Would it be people who have some horeditary connection with the land?—Yes.

35156. With regard to your other suggestion which you make later on in answer to question (51), do you want to introduce that into the Provincial Civil Service or not?—No, I do not think it is necessary for the Provincial Civil Service if the suggestion in my answer to question (21) is adopted.

35157. You think that in the highest service it is desirable?—Yes; it is only if competitive examination is not allowed; otherwise, I am not at all in favour of that.

35158. But simultaneous examination would pay no regard whatever to that principle, would it?—I say I do not attach much value to that. It is only when we cannot get that examination.

35159. And then we have to fall back upon another principle?—Yes, it is only then. We cannot help that.

35160. As a matter of fact, do you think any members of high and respectable families are likely to get into the Civil Service?—Yes, if they get good education.

35161. But are they well educated, that is what I mean?—At present there may be very few.

35162. There are very few, as a matter of fact, who are well educated?—Yes, at present, only.

35163. (*Mr. Madga.*) With reference to the answer you have just given, the two conditions which you lay down, competitive examination and connection with respectable families, are considered by many people to be mutually destructive, that it is to say, they do not consider that the classes you consider respectable, cannot go, or are likely to go, in for high education. You do not accept that opinion?—As I have said, it is only when simultaneous examination is not to be allowed that I attach some value to this, otherwise not.

35164. I quite understand that; but you give us two conditions which a good many people can consider mutually destructive to one another. You do not agree with that, do you?—No, certainly, not quite.

35165. (*Mr. Fisher.*) In answer to question (50) of the Provincial Civil Service questions you say "But, in my opinion, the posts in the Provincial Civil Service carry high prestige, and the members thereof have to maintain the dignity of their position in the eyes of the public. This is a fact which should also be taken into consideration in fixing salaries." On the other hand, in your answer to question (24) of the Indian Civil Service series, you suggest that certain rules should be introduced which would attract more competent Indians to the Provincial Service. If the prestige of the Provincial Service is already so high, why are not competent Indians attracted to it?—It is not as high as that of the Indian Civil Service.

35166. That is what you mean?—Yes.

35167. What rules are you referring to as capable of attracting more competent Indians to the Provincial Civil Service?—I have not suggested any definite rules. That I would leave for the Commission or the Secretary of State to decide. I am not going to suggest any definite rules. I have simply to urge that it should be kept in view.

35168. (*Mr. Macdonald.*) Have you any experience in your district of the administration of justice by Magistrates suffering because Magistrates try cases out in camp and keep the prisoners and the barristers and the witnesses going from place to place?—It causes inconvenience to the parties concerned.

35169. Have you experienced that?—Yes, I have seen that.

35170. You know, as a matter of fact, that that takes place?—Yes, I know that.

35171. And if something could be done to prevent that, would it be regarded as acceptable by the public?—Certainly.

35172. It would increase the expenses? It would be expensive?—Yes. It would be acceptable to the public even though somewhat more expensive.

35173. (*Mr. Chaul.*) Is there any feeling in this province that the Executive and Judicial functions of Magistrates may be usefully separated?—Yes, there is some sort of feeling.

35174. May I know in what sections or classes of the public that feeling is entertained?—I have found some of the Executive officers of the Provincial Civil Service complaining that on account of judicial work they are prevented from going into the interior. If they go into the interior the parties are put to much inconvenience. Those would be the people who would want separation of the Executive and the Judicial.

35175. What portions of the public feel that the same Magistrate who has got Executive powers should not try Executive cases?—That is a general feeling among the educated people, and, of course, among the masses also, especially those men who have some experience of the inconvenience to which they have been put. They all feel it.

35176. (*Mr. Standen.*) From your answer to question (36), where you refer to the system of training, I rather gather that you consider the present arrangements for training young Civilians

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do not produce that degree of sympathy amongst members of the Commission which is desirable. Do you imply that the present arrangements are not suitable, or that they are suitable, and ought to be continued?—I have already said that I have not to find fault with the present mode of training. I say that more importance should be attached to the attitude which I have referred to.

35177. In your own case you are occupying a very enviable position as leader of the local co-operative movements in the Central Provinces?—Yes.

35178. Have you not received considerable assistance and advice from Government officers? Would it be true to say that your position is largely due to the advice you have received from officers at Jubbulpur?—Yes, I have received assistance from Government officers.

35179. How did you get this impression?—The fact is that people in the interior do complain that the higher officials do not so frequently mix with them as they used to do previously.

35180. Is it the practice or not for the Deputy Commissioner in the evening, as a rule when the sun goes down, to have his tahle put outside his tent and call up a number of people in the village to talk with him?—I am not denying that there are good officers.

35181. Is not that the ordinary practice?—That is the general practice, I must say.

35182. Do you think that the relations between District Officers and the people in the district would be considerably improved if every District Officer's house had a visitors' waiting room attached to it?—Yes, I think so.

35183. Do you think it a matter of real importance to prevent visitors waiting on the verandah with the chaprasis?—It hurts the feelings of visi-

tors who go to see District Officers to have to wait outside.

35184. You think that would be an innovation worth making?—Yes.

35185. With regard to the question of the knowledge of languages, would it be true to say that the great majority of civilians at present are capable of conducting criminal cases in the vernacular?—No.

35186. You think not?—No.

35187. They need interpreters?—Yes, I think so.

35188. I am talking of men of four or five years' service?—They may be able to understand the people.

35189. I am referring to an ordinary criminal case, and not to speaking in the vernacular on abstract subjects, the sort of matters which come up in criminal cases?—I do not think they would be able to understand the colloquial Hindi language.

35190. Up to what point would you wish them to know the language? Ought they to be able to discuss abstract subjects with educated Hindus?—If they had a knowledge of the language up to the vernacular middle standard that would be sufficient.

35191. (*Mr. Thakur.*) As landlord of a number of villages, you are familiar with the economic conditions of this province?—Yes.

35192. Now that there has been a considerable rise in the prices, do you think that there has been a corresponding rise in the standard of living amongst the well-to-do and educated class in this Province?—Yes.

35193. In recommending an increase in the pay of members of the Provincial Civil Service I suppose you have taken those conditions into account?—Yes.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30.)

Tuesday, 18th March 1913.

THIRTY-FOURTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.

SIR MURRAY HAMMICK, K.C.S.I., C.I.E.

SIR THEODORE MORISON, K.C.I.E.

MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

And the following Assistant Commissioners:—

BERTHAM PRIOR STANDEN, Esq., C.I.E., I.O.S.,
Officiating Commissioner, Berar.

WALTER CULLEY MADGE, Esq., C.I.E.

FRANK GEORGE SLY, Esq., C.S.I.

HERBERT ALBERT LAURENS FISHER, Esq.

JAMES RAMSAY MACDONALD, Esq., M.P.

RAO BAHADUR KASINATH KESHAB THAKUR,
I.S.O., District and Sessions Judge, West
Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra
Assistant Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

GHAZANFAR ALI KHAN, Esq., I.O.S., Deputy Commissioner, Nimar.

Written answers relating to the Indian Civil Service.

35194 (1). What is your experience of the working of the present system of recruitment

by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by competitive examination

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generally satisfactory, though even the staunch advocates of the system will probably concede that it is not by any means the ideal system, inasmuch as it does not constitute a direct test of character. I say direct test, because I am of opinion that a candidate who enters the Civil Service through the door of competition is ordinarily possessed of "grit" apart from the intellectual qualifications connoted by success at the examination. It must, however, be reluctantly admitted that some of the "competition-walas" are deficient in a greater or less degree in the requisite moral qualifications for employment in this distinguished service. I would suggest the following measures for remedying the defect. I understand that candidates for Indian Civil Service open competition are required to give the names of two respectable persons (not relatives or college tutors) to whom references may be made as to character. But no reference is made (if it is made at all) unless the candidate passes the competitive test. The production of certificate of character should be made a condition precedent to admission to the examination in future. No person is in a better position to certify to the character of the candidate than the college tutor, and it is therefore curious that he should be prescribed as a referee under the existing rule. He should be an impartial referee provided he is consulted before and not after the open test. A candidate who is morally ineligible may occasionally get in, in spite of the certificate of character. Again it is conceivable that a recruit may deteriorate morally after his arrival in India owing to sudden contact with alien social and moral conditions at an impressionable period of life. I would suggest that such undesirables should be retired on a suitable pension or gratuity within, say, five years of arrival in India. I do not think that elimination of such men will react on the popularity of the service. Indeed I am inclined to think that such a rule will be heartily approved by the majority of members of the Indian Civil Service who are naturally scandalized by the presence of black sheep in their fold. It is perhaps difficult to think of a more competent critic of the present system than Lord Curzon, who had exceptional opportunities of gauging the capabilities of the members of the Indian Civil Service. Now, Lord Curzon's opinion is flagrantly at variance with the opinion of those who consider the Civil Service an effete body. Lord Curzon referred to the Civil Service as follows in his valedictory speech at the United Service Club, Simla:—"It will always, I think, remain the greatest recollection of my public life that for this not inconsiderable period I was permitted to preside over the most efficient and the most high-minded public service which I believe to exist in the world." This verdict is endorsed by a distinguished Frenchman, Monsieur Chailley, who made a careful and a close study of the Indian administration in all its aspects over a prolonged period. The opinion of Monsieur Chailley is all the more weighty in view of the fact that he is an expert on the administration of the French Colonies. I am therefore constrained to think that those who disparage the Indian Civil Service belong to the category of *laudator temporis acti*. As the present system is justified

by the result it would be the height of unwisdom to throw it into the melting-pot.

35195 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I consider the combination of the open competitive examination for the Home and Colonial Civil Services with that for the England Civil Service distinctly advantageous to the Indian interest in that it enlarges the field for selection. Occasionally a candidate who would have preferred an appointment in the Home Civil Service takes up an Indian appointment rather than wait for his second "shot." In default of such a man a man lower down the list would have been selected.

35196 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to the proposal of simultaneous examination. The proposal is open to the following serious objections, among others:—(i) I consider the maintenance of the British character of the service a *sine qua non* of its efficiency for a long time to come. It follows as a corollary to this assumption that the Service should be preponderantly manned by Europeans. Now simultaneous examination, if conceded, will be inimical to this fundamental principle. Even assuming that the adoption of the system of simultaneous examination will not result in an appreciable change in the proportions of the European and Indian members of the service in the immediate future, there is to my mind every likelihood of the European element being seriously reduced, if not swamped, when special educational institutions are established in India on the lines of the famous institution at Powis Square in response to the demand for expert Crammers on the part of the crowd of Indian aspirants to membership of the Civil Service. (ii) It has been proposed that the candidates who are selected in India should be sent to England for a couple of years with a view to imbibing European culture. I am, however, doubtful whether the candidates will adequately benefit by the proposed training, seeing that they will have outgrown the most impressionable period of life. (iii) The expedient of simultaneous examination will not lessen the expense of administration, if, as I presume, the candidates recruited in India receive the same emoluments as the candidates recruited in England. On the other hand, some of the prominent advocates of simultaneous examination urge this measure on the ground of economy. (iv) The destruction of the predominance of the British element in consequence of the over-recruitment of Indians would probably impede the industrial progress of India by frightening away European capital, which is essential to the development of the country for a long time to come. (v) It is very doubtful indeed whether the predominance of Indians in the Civil Service will be really welcome to the inarticulate masses under existing conditions, seeing that racial distrust and even antagonism are by no means a thing of the past in this country. It is significant that only recently an application was made

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to the United Provinces High Court for the transfer of a case from an exalted court on the ground that the presiding Judge (an Indian) was a co-religionist of the non-applicant! (v) It may safely be predicted that the concession of a system of simultaneous examination would attract an increasingly large number of candidates in India. Having regard to the smallness of the posts competed for annually, the overwhelming bulk of the candidates will be inevitably unsuccessful. The result would be that they will swell the already large multitude of discontented men who are annually manufactured by the Indian Universities. The discontent of the 'failed I. C. S.'s' will be in proportion to the money and time spent on preparation for a notoriously difficult examination. To my mind this is a very grave objection to the proposal, let alone the appalling waste of energy involved in it. (vi) Simultaneous examination would sooner or later lead to the entry into the Civil Service of a sprinkling of men from the lower strata of Indian society. Now, it is a question whether such a consummation is devoutly to be wished in the public interests, however landable it may be in the abstract. For it must be remembered that the Indian Civil Service is a *corps d'élite* and that the occasional irruption into this charmed circle of an 'untouchable' through the door of competition would not only seriously impair the prestige of the Service, but also scandalise public opinion, which has by no means outgrown its deep-rooted prejudice against the pariah. The inference seems inevitable that India is not yet ripe for the system of simultaneous examination.

35197 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, please describe fully what system you would recommend. In particular do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any of the alternative methods specified in these questions. I consider it desirable to give a larger portion of the superior posts to Natives of India as a concession to the aspirations of the educated classes. Subject to the predominance of the European element I would offer every facility for the recruitment of Indians by the following methods:—(i) Promising Indian students should be offered Government scholarships on a liberal scale to enable them to proceed to England and compete for the Indian Civil Service. There are altogether six Universities in India, and at least two candidates should be selected from each University annually. These candidates should be offered scholarships of £200 *per annum*. The scholars should be graduates, and assuming that they are 20 years of age when they pass the examination—the minimum age prescribed by Indian Universities for the matriculation examination is 16 years—they would have a fair prospect of success at the open competition, provided the

present age-limits are maintained. I calculate that 75 per cent. of the scholars who will be the pick of the Indian Universities, *ex hypothesi*, will be successful. The unsuccessful scholars might advantageously be absorbed in the Provincial Civil Service or other public service for which they might possess special aptitude. I may observe in passing that scholarships to promising Indian students are offered by private associations to this end, but the scope for private enterprise in this direction is necessarily limited. It is however worthy of remark that the experiment has decidedly proved successful. (ii) To facilitate the entry of Indians into the Civil Service I would alter the syllabus of the competitive examination to some extent. [*Vide* answer to question (21)]. (iii) Some of the superior posts should be filled by selected members of the Provincial Civil Service as at present. (iv) Government should be empowered to employ men other than members of the Provincial Civil Service in very exceptional cases subject to the conditions specified in section 3 of the Civil Service Act. I consider it desirable that the Judicial branch of the Provincial Civil Service should be recruited to some extent from the legal profession in India, and section 3 of the Civil Service Act will permit of the representation of this element. The representation of all classes and communities in the Civil Service is a counsel of perfection under existing conditions. Such an ideal cannot be realised without sacrifice of the all-important principle of efficiency of the Service until the backward communities are abreast of their more advanced brethren and until racial prejudices and antipathies are a thing of the past.

35198 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so please describe the system that you would propose?—*Vide* answer to question (10). In view of the marked aptitude shown by the members of the Provincial Civil Service for judicial work, it seems desirable that a modicum of the higher posts in the Judicial branch of the Civil Service should be filled by them. Some posts should also be thrown open to eligible members of the Indian Bar. Subject to the above remarks the Judicial branch of the administration should continue to be manned from the Indian Civil Service. The adverse criticism directed against the Civilian Judges is not due to any inherent defect in the existing method of recruiting for Judgeship, but to the faulty system of training followed in most provinces. Given sound training in the early years of the Service, there is no reason why a Civilian Judge should compare unfavourably with his Barrister confrère. Indeed his initial training as an executive officer—he should not specialise in judicial work until completion of four years—should enable him to have a firmer grasp of facts and a more intimate knowledge of men and affairs than a Barrister, Judge, who has not undergone similar training. In this connection it is important to bear in mind that India possesses perhaps the best system of codified law in the world, and consequently the mastery of Indian Law is comparatively easy. Moreover, a capable Judge has an important auxiliary in the Bar, which is rapidly increasing in number and efficiency

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in this country. The attempt to erect the law into a fetish is to be deprecated. A system which is susceptible of producing Civilian Judges of the calibre of the late Sir Raymond West should not be condemned without conclusive proof of its inopititude. The lamentable lack of despatch which characterised the trial of some recent *causes célèbres* in Indian High Courts does not assuredly tend to inspire over-confidence in a judiciary predominantly manned from the legal profession. I may perhaps be permitted to quote the following remark of Monsieur Chailley, an able French critic, on the slow course of Indian justice:—"Outside the Presidency towns the procedure of the courts seems to be very complicated, slow and costly and unsuited for about one-third of India. Besides English Civil Law is one of the most cumbrous in the world, and its application to India is not an unmixt success." My own opinion is that a due admixture of the Civilian element in the *personnel* of the higher civil courts is a safeguard against accentuation of the notorious tendency to the "law's delay" which is characteristic of the present régime.

35199 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I consider the present age-limits suitable for the following reasons:—(a) Indian candidates would be further handicapped by the reduction of the age-limits. (ii) It is desirable to attract candidates who have completed a University course and the present age-limits are eminently adapted to this end.

35200 (18). What is the most suitable age at which junior civilians should arrive in India?—I consider that junior civilians should arrive in India when they are about 24 or 25 years of age. Considering that the young civilian is ordinarily placed in positions of responsibility even at the outset of his career, it is obviously desirable in the public interest that he should be fairly mature when he embarks on his official career. Moreover, he will possess a greater measure of *savoir faire*, and this is an indispensable qualification in a civilian whose lot is cast among the Indians, who are a notoriously sensitive people.

35201 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? (2) Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—*Vide* answer to question (15). The present age-limits would enable Indian candidates to proceed to England after taking their B.A. Degree, and this is a point of considerable importance if my proposal regarding the grant of scholarships by Government be accepted. *Vide* answer to question (10). I am opposed to any differentiation between the age-

limits for Natives of India and other natural-born subjects of His Majesty.

35202 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle. It is, however, open to question whether the authorised syllabus complies with this principle. The principle underlying the syllabus is enunciated by Jowett in the following words:—"It will not do to frame our examination on any theory of examination. We must test a young man's ability by what he knows, not by what we wish him to know." This was explicitly avowed in the report by the author of the scheme himself.

35203 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of University-leaving age?—I would recommend the following changes in the authorised syllabus for competitive examination. The marks assigned to Sanskrit and Arabic should be raised from 800 to 900 each and distributed as follows:—Literature and Grammar 400; Translation 500; Prose Composition 200; total 900. Indian History (including History of Indian Constitution) should, I think, be included in the syllabus and 600 marks assigned to it. These changes, if accepted, will slightly benefit the Indian candidate, who is seriously handicapped in the open competition. When this syllabus was first drawn up in the '50's the contingency of Indians competing for the examination was not foreseen. This is apparent from the following extract from Macaulay's report:—"The marks we conceive ought to be distributed among the subjects of examination in such a manner that no part of the *kingdom* and no class of schools shall exclusively furnish servants to the East India Company." The italics are mine.

35204 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions?—I consider it desirable that the posts specified in the schedule of the Indian Civil Service Act of 1861 should continue to be reserved for the Covenanted Civil Service. I also

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consider it desirable, that Schedule II of the Act should be amended so as to include posts of the same class in the Non-Regulation provinces which are at present included in the scope of the Act by administrative orders.

35205 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The Indian administration is essentially British in spirit as I have already stated, and I consider it necessary to maintain the predominance of the British element with a view to the efficiency of the Service. I do not think these principles would be jeopardised if one-third of the superior posts were filled by Natives of India, whether recruited by open competition in England or by appointment in India in the manner described in the answer to question (10). This percentage should be the maximum and it should be worked up to by degrees *pari passu* with increase in the number of suitable Indian candidates. I consider it feasible to fill 25 per cent. of the superior posts by Natives of India including Indians who are members of the Covenanted Civil Service under present conditions. It would be preferable to fill the bulk of the reserved posts by Indians recruited in England, but this is out of the question unless the method recommended by me in answer to question (10) is accepted. In any case it would be some years before the suggested measures have the desired effect of sensibly augmenting the number of Indians in the Civil Service by recruitment in England. In the meantime the deficiency should be made good by the appointment of selected members of the Provincial Civil Service. This would involve a considerable immediate increase in the number of listed posts in some provinces. The vested interests of the members of the Civil Service already employed should of course be safeguarded in effecting any such readjustment. I venture to think that the above proposal, though it involves perhaps a large concession to Indian aspirations, has the elements of finality. In this connection I may perhaps be permitted to quote the following remarks of Lord Dufferin on the then Indian situation, which I think still hold good:—"Now, I think it is desirable that the Government should make up its mind as soon as possible in regard to the policy it is determined to pursue, for evidently India is not a country in which the machinery of democratic education can be applied with impunity. My own inclination would be to examine carefully and seriously the demands which are the outcome of these various movements; to give quickly and with a good grace whatever it may be possible or desirable to accord; to announce that these concessions must be accepted as a final settlement of the Indian system for the next ten or fifteen years." Curiously enough Lord Dufferin anticipated Monsieur Chailley, who sums up the Indian situation in the eloquent passage:—"La lutte reprend jusqu'à ce que l'indigène arrache un nouveau lambeau de pouvoir, et que la vanité satisfaite de

parlementaire endorme à nouveau son activité. Mais l'assaut fatalement doit recommencer. Car —et c'est là un phénomène à noter—l'indigène n'est pas, ne peut pas être satisfait. Ce qu'il emporte ce ne sont que les concessions auxquelles fait défaut le seul caractère qui pourrait le concilier avec la domination britannique: la spontanéité et la bonne grâce."

35206 (28). Do you consider that the old system of appointment of "statutory civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—The consensus of opinion is against the revival of the old system of statutory civilians, which savoured of favouritism. I agree in this opinion.

35207 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your province, would you advise its re-introduction, or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The Central Provinces Commission was largely manned by military officers in the old days, and from all accounts they were suited to the patriarchal régime of that period. I am, however, convinced that it is undesirable to reintroduce the system, since the work which falls to the lot of the modern Civilian demands widely different qualifications.

35208 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—I do not think the percentage has ever been worked up to in these Provinces. As I have already stated, the power should be exercised in the direction of recruiting men from the legal profession.

35209 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The merging of the inferior listed posts in the Provincial Civil Service has satisfied the national aspirations to a large extent. This measure is in harmony with the recommendation of the last Public Service Commission, which urged that indigenous agencies should be more largely employed in the public service. "Considerations of policy and economy alike require" observed the Commission, "that so far as is consistent with the ends of good government the recruitment of the official staff in England should be curtailed and advantage taken of qualified agency obtainable in India."

35210 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I consider the system is generally satisfactory and would recommend its continuance.

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35211 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—The duration of the course should be one year as at present.

35212 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved university?—Yes.

35213 (46). If so, do you advise the selection of one or more universities for this purpose and for what reasons?—I would emphatically recommend the selection of the Universities of Oxford and Cambridge for this purpose. These two residential Universities between them supply the bulk of the successful candidates who usually spend their probationary year there. The concentration of the large number of probationers at either University is in itself an educative influence, it engenders an '*esprit de corps*' which is fostered by the quasi-Indian atmosphere imparted by the presence of several distinguished ex-Indian Civilians and by the periodical discussion of topics of Indian interest under the auspices of special committees at both Universities (I believe).

35214 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. I would recommend allowance of £150 *per* first class passage to India. The allowance should be contingent on residence at Oxford or Cambridge University.

35215 (48). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No. I consider that the advantages of a separate institution in England would be outweighed by the drawbacks. In the first place it would be difficult to secure competent teachers like those available at Oxford or Cambridge, secondly the scheme would be much too costly.

35216 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. My answer applies with even greater force to candidates who pass the open competitive examination after completing the University course.

35217 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?—I consider the course of studies prescribed for probationers in 1912 as satisfactory

except that Indian History should not be offered by a candidate who has offered it at the open competition, assuming that it is included in the authorised syllabus as suggested.

35218 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—This is not feasible unless the period of probation is extended to 2 years, but given the present age-limits it would be extremely unwise to make any change in this respect. The existing system is fairly satisfactory and should, I think, be adhered to.

35219 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I consider that the probationer's course of instruction can best be spent in England.

35220 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I strongly deprecate the proposal to start a central College in India. The failure of the Fort William College is, I take it, a sufficient argument against the revival of the project. Moreover, even assuming that the scheme is workable, it would be much too costly.

35221 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The main objections to this proposal have been succinctly but forcibly stated in question (56). I would add that the proposal is also open to the objection of expense.

35222 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—No.

35223 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? It so, please state the special arrangements that you recommend?—I do not consider that any differentiation is necessary between the course of study for the two classes of

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probationers. I would, however, make it obligatory on the Indian probationer to spend the period of probation at Oxford or Cambridge. I consider that prolonged contact with the intellectual, social and moral atmosphere of a residential University is of great value to an Indian recruit to the Civil Service. I know of several instances in which Indian recruits never came in contact with a residential University in England.

35224 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I consider the present arrangement generally satisfactory.

35225 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—Yes. I would, however, make the Departmental language test more severe. Under the existing rules a candidate is declared to have passed if he obtained 50 per cent. of the maximum number of marks in each paper of the written portion of the examination, provided he also passes the colloquial test. I think there should be two standards in languages, as in law and procedure and accounts. The lower standard should be 50 per cent. and higher standard 75 per cent. of the full marks assigned to each paper, and promotion to the Rs. 500 grade should be contingent on passing by the higher standard. I would further suggest that an officer should be kept in the same language area in the early years of his service as recommended by the Decentralization Commission. I also endorse the following recommendations of the Decentralization Commission:—(i) No junior Civilian should be appointed to the Secretariat or other duties at headquarters until he has become thoroughly proficient in at least one language. (ii) The confidential reports now submitted on Civilians should lay special stress on their ability to speak the vernacular, and the record of practical language proficiency should be maintained in the Secretariat. (iii) In making appointments to particular districts or divisions knowledge of the vernacular should be regarded as of at least as great importance as seniority.

35226 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am not in a position to institute any comparison. The Decentralization Commission has recorded that there was a large preponderance of evidence that the European officers serving in Madras, Bombay and the two Bengals were imperfectly acquainted with the languages spoken there. The Commission observed that these are the provinces where the knowledge of English is most diffused among the educated classes and where a variety of vernaculars exists. This coincidence is no doubt significant. Another cause which has to my mind discouraged the study of vernaculars by European officers is the revolution effected by the

Suez Canal. It has been shrewdly said: "The Suez Canal has brought England and India closer together only to separate them the more." The fact is that India is no longer the adopted home of the European officer; it is not a land of exile. Finally, the marked increase in the number of Europeans who are permanently or temporarily resident in India has conduced to their alienation from the Natives of the country. The remedies suggested in the answer to question (61) would be efficacious in my opinion.

35227 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—Under the existing rules an officer serving in the Upper Provinces is eligible for examination in Bengali, Assamese and Oriya, provided he has obtained a certificate in any of the following languages: Sanskrit, Arabic, Persian, Hindustani, Hindi. I would remove Bengali, Assamese and Oriya altogether from the list of subjects prescribed for the Upper Provinces, as these three languages cannot obviously be of any practical use to an officer serving in the Upper Provinces. I am also doubtful as to the expediency of the recent amendment to the rules which permits an officer to earn a reward for the Degree of Honour standard at any time within the period of his service; such a concession is of doubtful advantage to the public service and is likely to give a fillip to pot-boiling. I would strongly recommend a return to the old rules under which the maximum periods for the higher standard, high proficiency and Degree of Honour examination, were 5, 10 and 15 years, respectively.

35228 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not consider any special steps to be necessary in this respect as regards the junior Civilians selected for the executive branch. As regards Civilians selected for judicial branch they should not be appointed to Divisional Judgeships until they have been trained in Civil work as Subordinate Judges and Magistrates for a reasonable period, say 5 years. They should not be definitely transferred to the judicial branch until they have completed their four years' service as Assistant Commissioners. As I have already stated, I consider their preliminary training in executive work of vital importance, as it enables an officer to obtain a first-hand knowledge of men and affairs by intimate contact with the people of the country. A junior Civilian who definitely elects for the judicial branch should, I think, be permitted to take two years' study leave to Europe on furlough allowance before the completion of 8 years, with a view to the study of law at an approved University or with a view to a call to the Bar. I do not recommend any special allowance in view of the fact that the furlough allowance is substantial.

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35229 (68). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

35230 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

35231 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I accept the system. I also consider the period of eight years suitable, irrespective of whether the present age-limits are retained or not. I assume that the probationary period would be at least two years if the age-limits are largely reduced.

35232 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest and for what reasons?—Yes.

35233 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15.5 allowed for training?—Yes.

35234 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The existing system of recruitment is markedly defective, with the result that it has seriously impeded the flow of promotion in these Provinces in recent years. I am strongly in favour of a time-scale of pay similar to that recently approved by the Secretary of State for the Political Department. I would also suggest that the

recommendation of the Decentralisation Commission regarding promotion by selection to higher appointments and the compulsory retirement of unfit officers, should be rigorously enforced in future. *Vide* paragraphs 637, 640, 642, 643, 646 and 647, Chapter XIV, of the Decentralisation Commission's Report.

35235 (88). To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what direction?—I consider that the functions of the Executive and Judicial Branches of the Civil Service have been sufficiently differentiated in this Province. I would deprecate any further differentiation of functions, which would lessen the powers and prestige of the District Magistrate, and thus handicap him in the preservation of the peace of the District in cases of emergency. The proposal is also open to the objection of expense, since a hard and fast separation of judicial and executive functions is bound to result in an increase in the *personnel*. Finally, I am doubtful as to whether the insistent demand for separation of executive and judicial functions on the part of the educated classes, who form a microscopic minority of the population, would be endorsed by the masses in the event of a *plebiscite* being taken. I have never heard any complaint on this score from the people, and enquiries made by me of experienced members of the Provincial Civil Service confirm me in the opinion that the agitation against the continuance of the present system is not by any means a reflection of popular feeling. A distinguished member of the Provincial Civil Service who has just retired told me lately that he could not recall a single instance in which the District Magistrate interfered with his judgment and discretion in the disposal of criminal work. This testimony is significant, emanating as it does from an officer whose service extended over 30 years and more. That there have been cases in which District Magistrates have unduly fettered the discretion of the Subordinate Magistracy, cannot be gainsaid, but such cases are, I think, very few, and it would be preposterous to discard a system because of the occasional lack of judgment shown by individual District Magistrates. The power for mischief of even the most despotic and arbitrary District Magistrate is, however, greatly minimised by the many effective checks on injustice already provided by the Criminal Procedure Code.

35236 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend? (93) If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—[(92) and (93).] The present rates of pay and grading are unsuitable. I understand that the matter has been repeatedly represented by the Local Administration. The introduction of a time-scale of pay would remedy the indefensible inequalities of promotion and prospects inherent in the existing system.

35237 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces; and does any dissatisfaction on the score exist in your

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Province, and if so, what?—Yes. Grave dissatisfaction is felt by the members of the Central Provinces Commission owing to the fact that their pay is regulated by a scale inferior to that in any province. This dissatisfaction is accentuated by the absence of any prize posts to which officers in other Provinces may aspire. Considering the increasing tendency to uniformity in the conditions there should be uniformity of pay for officers doing similar kinds of work in all provinces. Any differentiation in this respect is invidious and inequitable.

35235 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I consider that exchange compensation allowance should be abolished; the vested interests of officers already employed would be adequately safeguarded by the introduction of a reasonable time-scale of pay.

35239 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service or not? (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—[(99)—(100).] I would recommend the introduction of a system of time-scale pay which is decidedly more scientific and equitable.

35240 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the Service?—Yes. I consider that this differentiation is on the whole justified by the following considerations:—(i) Generally speaking the European Civilian has a higher standard of living than his Indian confrère who is not recruited in England. (ii) He is obliged to take leave to Europe occasionally for the benefit of his health. (iii) Assuming that a minimum of European officers is indispensable to the efficiency of the Civil Service, the sacrifices involved in employment in foreign country require some compensation. I am, however, inclined to think that it would be expedient to raise the salaries of the Indian officers in question approximately to three-fourths of the salaries drawn in the same posts by members of the Indian Civil Service.

35241 (109). Do you consider that the rates of furlough allowances are suitable?—Yes.

35242 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances, expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1s. 6d. the rupee? If so, what change?—I consider the concession adequate.

35243 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

35244 (114). In particular are they (the present leave rules) a contributory cause of excessive transfers of officers of the Indian Civil Service and, if so, how can this difficulty be met?—(115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—(114) and (115). I agree in the main with the views of the Decentralisation Commission on the subject. *Vide* paragraphs 157 (i) and 656.

35245 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I entirely agree with the views of Sir Ralph Benson on the subject.

35246 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that Heads of Provinces should after five years of office get a pension of £1,500.

35247 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The pension should, I think, be proportionate to the period of active service rendered by the officer to be retired. To retire such officers without pension or even on inadequate pension would naturally cause a feeling of insecurity which would react on the popularity of the Service.

35248 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—I consider the present rules satisfactory in the interests alike of Government and of the members of the Civil Service, provided inefficient officers are retired as soon as their unfitness becomes apparent.

35249 (127). Do you approve of the present system regulating the pensions of Statutory Civilians?—Yes.

Written answers relating to the Provincial Civil Service.

35250 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are on the whole suitable in my opinion. The candidates for appointment by recruitment are, I believe, annually nominated by

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Commissioners and Heads of Departments and selection is made from among such nominees by the Local Administration. This procedure ensures the representation of the different classes who have availed themselves of the facilities for higher education. The selection is not attended with any difficulty at present, since the annual output of graduates in these provinces is relatively limited and a considerable proportion of them succumb to the strong attractions of the legal profession or are later on absorbed in the judicial service as Munsifs. It is, however, on the cards, that there will be a large increase in the number of candidates for appointment direct to the Provincial Civil Service with the extension of higher education in the near future. The result will be that the task of selection by the method of nomination will become increasingly difficult and invidious. When this stage is reached it will be desirable to throw open a modicum of appointments to competition. An incidental advantage of the proposed modification is that it will permit of the due representation of the backward classes, who ordinarily lack the influence to secure appointments by nomination.

35251 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Recruitment should, I think, be ordinarily restricted to residents of the Province. Under the existing rules the Local Administration reserves to itself the right to appoint persons who have recently resided for three years within the provinces or in very exceptional cases outsiders. I consider this a very salutary rule. It should be used to secure the due representation in the Provincial Civil Service of a backward community, *e.g.*, the Native Christians.

35252 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. Brahmans predominate, their numbers being out of proportion to their numerical strength in these Provinces. The Muhammadans have secured a larger share of appointments in the Provincial Service than they can legitimately claim on the basis of their population. These inequalities are principally due to the backwardness of the other communities educationally. Assuming that the efficiency of the Service is the paramount consideration which should govern recruitment of officers, the predominance of the Brahman element must continue for many years to come. The due representation of the other classes, however, can be accelerated by the encouragement of higher education among the poorer sections of the community by the grant of Government scholarships on a liberal scale.

35253 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend? (10) Is the existing system of Departmental examinations suitable, and if not, what changes do you recommend?—(9) and (10). I consider the system of training and probation suitable. I would, however, suggest that a probationary Extra Assistant Commissioner should receive Rs. 150

per mensem instead of Rs. 100 on appointment, and that he should begin to draw Rs. 200 *per mensem* on passing all the examinations by the higher standard even though he may not be confirmed as soon as he passes the examinations. I would abolish the present grade of Rs. 200, which is peculiar to the Central Provinces. (*Vide* Appendix B.) I understand that officiating Munsifs get Rs. 125 *per mensem*, and considering that they belong to the Subordinate Service it seems anomalous that an officiating Extra Assistant Commissioner should receive smaller emoluments, especially as he is required to keep a horse and probably a conveyance for out-door work. The adoption of the above suggestions would, I consider, conduce to the increased popularity of the executive branch of the Provincial Civil Service.

35254 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—[*Vide* answers to questions (9) and (10).] Some members of the Provincial Civil Service are strongly in favour of a time-scale of salary, but I am of opinion that the present system is preferable in existing circumstances in that it affords a strong stimulus to efficiency. There seems no reason why the salary of the members of the Provincial Civil Service in these Provinces should not be brought into line with that in Bengal and Bihar where the highest grade is Rs. 1,000.

35255 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest? (33) Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(32) and (33). Generally speaking the present leave rules do not bear hardly on members of the Provincial Civil Service who are averse to taking leave at frequent intervals owing to the social conditions which make travelling unduly inconvenient and expensive. The leave is ordinarily taken by them for the performance of marriage or funeral ceremonies. The work which now falls to the lot of the member of the Provincial Civil Service is far more exacting and strenuous than in old days and consequently there is greater need for the occasional recuperation of health and energy. The increasing facility for travelling in India, coupled with a slow but steady emancipation of the people from the thralldom of custom, will undoubtedly rapidly overcome the present aversion to travelling felt by the average member of the Provincial Service. In view of these considerations I am of opinion that the existing leave rules should be brought into line with the rules applicable to the European Service. Such a concession to the Provincial Service, which is a very important factor in the administration, would, I feel convinced, be greatly appreciated by the members of that Service. It would also result in increased efficiency and thus conduce to public interest.

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35256. (43). Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—A member of the

Provincial Civil Service who has held a listed post for a period of five years should, in my opinion, receive a pension of Rs. 600 per mensem. Cf. Article 474, Civil Service Regulations.

Mr. G. A. KHAN, I.C.S., called and examined.

35257. (Chairman.) You are a Deputy Commissioner?—Officiating Deputy Commissioner at Nimar.

35258. To what part of India do you belong?—Bengal.

35259. Where were you educated?—Partly at Calcutta, and partly in England.

35260. What University did you go to in England?—Cambridge. Before going to Cambridge I read for some time at University College, London, for about a year.

35261. What did you do at Cambridge?—I studied for the Indian Civil Service, and for an honours degree.

35262. How many years have you been in the Service?—I have completed thirteen years.

35263. Your proposal for the extended employment of Indians in the Service is to give a certain number of scholarships?—Yes.

35264. You suggest twelve scholarships annually?—Yes, at least twelve.

35265. And these scholarships are to enable students to go to England and have a University training?—Yes; with a view to competing at the Indian Civil Service examination.

35266. At what age would you suggest that they should arrive in England?—At the age of twenty, provided they are graduates.

35267. How would you select these candidates in India?—Through the Universities.

35268. What form of selection would they go through?—The main criterion would be merit. I should think they would take into consideration the success of all the candidates at the examinations from the matriculation up to B. A., just as they do at present in connection with other scholarships. The Government of India offer scholarships so that young men can go to England to pursue their studies for various careers. The arrangements would be the same. I would pick out the most promising men from the different Universities.

35269. Would your Selection Board be a central body representing India?—No, I would leave this to the Local Government or the Universities, as the case may be.

35270. Would you favour the idea of having any non-official member upon that Board of Selection?—I do not think it is necessary. The Universities would be absolutely impartial, because all classes are represented in the Senate.

35271. You would ask the authorities of the Universities first to select, and then those names would be submitted to the local Government, and they would either confirm, or not?—Yes.

35272. You anticipate that if such scholarships were granted, in a short time something like 75 per cent. of those who went home would probably be successful at the examination?—At once, I should say. I am arguing from concrete instances. I know at least half a dozen Indians

who have been able to compete for the Indian Civil Service after staying in England only a couple of years. After a couple of years' study in England they competed successfully for the Indian Civil Service. They are men who had done very well in India. They took high Honours in Mathematics and Science. Two years' study in England was quite sufficient to enable them to compete successfully for the Indian Civil Service. According to the arrangements I have suggested men will have three years to compete, and I think that gives them ample margin.

35273. What is the suggested value of the scholarships?—I have suggested £200; but I am inclined to think that it may probably be necessary to increase it to £250. I am not sure whether £200 would be sufficient. The scholars would be mostly young men who have no private means.

35274. These scholarships of £250 a year would be tenable for three years?—Yes.

35275. So that you would have a group of 36 scholarships?—It works out at one lakh and eighty thousand rupees a year when the arrangement is in working order.

35276. You also suggest a change in the Syllabus of the examination so as to give it a more Indian tinge?—Not a more Indian tinge, but to reduce the handicap upon Indians, which at the present moment is immense. The modification I suggest is very slight.

35277. What is your suggestion?—As I have said in my written answers, I propose that the marks assigned for Arabic and Sanskrit should each be raised from 800 to 900. When I went up for the Indian Civil Service the marks for Arabic were 500. Since then they have been raised to 800. There has been a tendency to equalise these. I would raise the marks to the same level as Latin and Greek. Even then, I think the Indian candidates will be at a disadvantage.

35278. In addition to that you would recruit a few persons direct from the Bar?—Yes.

35279. What proportion would you like to see recruited from the Bar?—A very small proportion indeed. I would recruit, primarily, from men selected in England, and afterwards from members of the Provincial Civil Service, that is those who are entitled to listed posts; and then any deficiency would be made good by recruitment from the Bar.

35280. You think that the various sources for recruitment which you have indicated would prove serviceable to the administration?—Yes, it would increase the percentage of Indians in the Service, and that would go a long way towards satisfying the aspirations of Indians.

35281. You think that fully qualified men would be found ready and willing to accept posts in the Judiciary from the Bar?—I think so.

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35282. You favour the present age-limit with one year's probation to follow?—Yes.

35283. And you would relegate the Judicial training to a rather later stage in an official's career?—Yes.

35284. When you say,—“A rather later stage,” how many years would you suggest that a man should be in the Executive before he was moved into the Judicial line?—I have suggested four years in my reply, and I adhere to that.

35285. You think that four years' work in the Revenue and Executive line will prove of use to him in his subsequent career as a Judge?—Yes, I think so. In those four years one is eager to learn, and one can learn a good deal. One is fresh, and one imbibes more knowledge.

35286. We have had a great deal of evidence from various witnesses with regard to the necessity for a closer study of law from the beginning. I gather from your answers that you do not regard that as so important?—No; because I think the legal system of India is simple enough to be mastered within a reasonable time. It is not so complicated as the English system of law, and I think it could be mastered by an average person within eight or nine years. So that a man would be a Subordinate Judge for some four or five years and would be Sessions Judge by the time he is raised to the High Court Bench, and he ought to be quite a good lawyer. One learns as one goes on working.

35287. You think that his practical experience as a Subordinate Judge would fully qualify him for his higher position?—Yes.

35288. What about his work whilst he is a Subordinate Judge? Do you think he will be sufficiently qualified to discharge that work efficiently?—Yes. Every Civilian comes out with a certain legal equipment to begin with, and if a Civilian has any inclination for the Judicial Branch of the Service he would probably keep up his knowledge of law during the four or five years he would be employed in Executive work, and afterwards it would be a great help to him. Now that we have got a good Bar, I think a man cannot possibly go wrong; he ought to be able to perform his duties with efficiency as a Subordinate Judge. You must remember that you are dealing with men who have already proved their ability in assimilating knowledge by competitive examination, and by the University degrees they have already attained.

35289. What actual experience would the officer have had in Civil work prior to his becoming a Subordinate Judge under your scheme?—Most of the young Civilians are also required to do a certain amount of civil work. They are called Additional Judges to the Court of Subordinate Judges in almost every district. They try Civil cases, so that they gain some experience. They have to study the Civil Procedure Code, and the Civil Law, both for the Departmental examination as well as for the examination in England.

35290. Is that universal in the magisterial line?—I think so.

35291. Would you regard that as sufficient training and equipment for an officer taking up the position of a Subordinate Judge?—I think so.

35292. You attach great importance to the University course?—I do.

35293. You look back upon your life at the University as one of profit and pleasure to yourself?—I think so, certainly: so much so, that I spent five years at Cambridge instead of the usual three years.

35294. How many years ago were you there?—I was in England for seven years, out of which I spent five years at Cambridge.

35295. Were there many Indians in residence at Cambridge during your time?—There were about sixty in my time. The number has gone up since.

35296. During what years were you there?—I was at Cambridge from 1895 till 1899.

35297. Now as regards your work as a Deputy Commissioner. Do you find the work which you have to discharge very onerous?—That depends upon the District. Some Districts are very heavy, whilst others are light.

35298. What do you regard your own District as, light or heavy?—It is moderate. I have been in charge of a heavy District too.

35299. How many hours a day, approximately, are you actually at work?—It is very difficult to tell. It depends upon the personal element. Some people work more than others, although it may not be absolutely necessary. You will find Civilians who work about eight hours a day, even in a small District, because they like the work. They do many things which are not absolutely necessary. It is very difficult to answer that question, but I should say in an average District one ought to be able to get through one's routine work in about six hours. The work varies.

35300. That is not unduly heavy?—No, that is not unduly heavy.

35301. From your knowledge of the Province, do you consider the Executive staff adequate for the work they have to discharge?—Yes, I think so.

35302. (Lord Ronaldshay.) I think your suggestions for recruiting Indians to the higher Service, are, firstly, a system of scholarships to facilitate their getting in through the English examination; and, secondly, a small recruitment from the Bar to the Judicial ranks of the Service; and, thirdly, some extension of the listed posts system until a considerably larger number of Indians get into the Service through the English examination?—Precisely. Those are my views.

35303. Can you tell me from your knowledge of your educated fellowmen in this country whether you think those proposals would satisfy the demands of the educated classes in India to-day?—I think my proposals, if considered, will satisfy the demands of the moderate Indians of to-day, but not the irreconcilables. Those who want to run India on purely Indian lines would not accept my proposals. The majority of the educated classes, however, would accept them as satisfactory. In the immediate future I presume 20 per cent. of the superior posts will be thrown open to Indians; and if that is done I think they will be entirely satisfied under present conditions.

35304. This is, perhaps, not a question which you can answer very definitely, but could you give me any idea whether what you call the extremist class in India, the class which wishes to

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run the Service on Indian lines, is a large one, as compared with the moderate educated classes?—I think it is a very small one as compared with the moderate educated classes.

55305. With regard to your suggestion for scholarships, I notice that in answer to question (10) you say:—"I may observe in passing that scholarships to promising Indian students are offered by private Associations, but the scope for private enterprise in this direction is necessarily limited. It is however worthy of remark that the experiment has decidedly proved successful." Can you give us some information as to what success has followed upon this private enterprise?—I can recall at least six instances in which Indians were sent to England at the expense of private Associations with a view to competing for the Indian Civil Service, and they were all successful. They were poor people who had done very well in India. Their careers were good. They were sent out, and all proved successful.

55306. They all got into the Indian Civil Service?—Yes. The arrangement was this. They were given this money on condition that if they were successful they were to repay the amount by instalments spread over a number of years. The Association also insured their lives in order to guard against casualties and they paid, of course, the premiums.

55307. Over how many years did the studies of those six men extend?—About eight years, I should think.

55308. You know of six men during the last eight years who received scholarships, and who were successful in getting into the Indian Civil Service?—Yes.

55309. Can you tell us how many failures there were during the same period?—I can remember only two instances. One was a Tata scholar from Bengal, and the other was a Parsee from Bombay.

55310. So that we may take it that altogether you know of eight Indian students who have received eight scholarships during the course of eight or nine years who have gone in for the Indian Civil Service examination, and six of whom have been successful?—Yes; and of those, four were successful within the first two years. They competed in their second year after their arrival in England, and they were successful.

55311. Your scheme of scholarships is based upon the assumption that the age-limit of the examination will remain as it is at present?—Yes.

55312. We have had a considerable amount of evidence which suggests that the age-limit ought to be reduced, and that we ought to endeavour to recruit our men at the age of 17 to 19. Supposing a recommendation of that kind were made, what would you suggest should be done in the way of giving scholarships to Indians? Would you be disposed to support a scheme of giving scholarships to Indians at a schoolboy age?—No, and for two reasons. One is the question of expense. It would be much more expensive, because you would have to give scholarships which would be tenable for seven years probably, and I do not think the general tax-payer should be saddled with such a large expenditure. My proposal is open to the objection that you are saddling

the general tax-payer with the expense of the education of men who are pursuing a special career. The second objection is that at that stage it is very difficult to pick out promising men. I would not pick them out at the stage of the First Arts examination. The B. A. is the best test. If a student has done well in the Matriculation and in the B.A. you may be almost certain that he is likely to succeed in the competition.

55313. I must assume that your scheme of scholarships would only be possible in the event of the present age-limits of the examination being retained?—Yes.

55314. With regard to your answer to question (88), dealing with the separation of Judicial and Executive functions, you say:—"I would deprecate any further differentiation of functions which would lessen the powers and prestige of the District Magistrate and thus handicap him in the preservation of the peace of the district in cases of emergency." Could you tell me as a layman exactly what the power and authority is which you derive from exercising magisterial functions?—The most important cases are those dealing with *badmashes*, people who are prosecuted under the bad livelihood sections of the Criminal Procedure Code. The Deputy Commissioner is invariably consulted with regard to such cases by the District Superintendent of Police, and his functions as District Magistrate are very important in that connection. He is a Magistrate, and he is also the head of the Police, and that has a sobering effect upon him in sanctioning prosecutions.

55315. The particular function to which you are referring now, is, I suppose, the power of a Magistrate to bind over a man to keep the peace?—To keep the peace, or to be of good behaviour.

55316. That is the particular function to which you are referring?—Yes.

55317. Apart from that, is there any other particular function?—There are certain emergencies in which you can call upon a person, or a number of persons, to keep the peace. In the event or likelihood of a riot you can always act promptly. Whereas if you take away these functions from the District Magistrate, probably it would lead to delay, and very serious consequences might ensue. You might, probably, have to consult the District Magistrate, and the people concerned would not probably listen to the Deputy Commissioner to the extent that they do now. They know that he can hold his power *in terrorem* over their heads, and that has a very sobering effect, I think.

55318. With regard to the training of junior Civilians when they first come out to this country you are satisfied with the present system?—Yes.

55319. Could you tell us what your training was when you first came out as a recruit to the Service?—My training was peculiar. I came out in 1899, at the time of the big famine. The Deputy Commissioner sent me out into camp, and I was put in charge of famine works. I was thrown upon my own resources. It was an exceptional time, and I was utilised in that connection. I had to pick up my knowledge as I went along. The average Civilian when he comes out is sent to a district where the District Officer is a capable

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person, and he trains him. I do not think they are sent at random to any district. The districts are selected with reference to their requirements.

35320. One objection which has been raised to the present system by certain witnesses is that the young Civilian does not, under this system, acquire a sufficient proficiency in the vernacular to enable him to mix freely with the educated classes in this country. Is that so?—The best way to enable him to learn the vernacular is to throw him among the people, and make him learn it. The present system is good for that purpose. The young Civilian comes to a district for six months. He comes into contact with the people, and he learns very quickly.

35321. The young recruit is only thrown among the village population, and surely the vocabulary of the ordinary villager is a comparatively small one?—Yes.

35322. And, I suppose, the sort of language he learns in that way is not sufficient to enable him to carry on a conversation on abstract subjects with an educated Indian?—He is not required to carry on a conversation on abstract subjects. When he first comes out his responsibilities are only such as would necessitate him carrying on a conversation on subjects which are of interest to the villagers, matters in connection with crops, sanitation, and such things. When he comes out I think he has sufficient ground work to go upon, and he picks up the rest very quickly.

35323. From what you have said I may take it that you do not attach very much importance to this charge which is rather frequently brought against members of the Indian Civil Service today, that they do not mix sufficiently with the educated classes of the country, and that even if they did, they would not be capable of conversing fluently with them?—My impression is that in these Provinces almost every Civilian I know has a working knowledge of the vernacular. There are, probably, one or two possible exceptions; but otherwise I think they all have a working knowledge of the vernacular. The Central Provinces Revenue system is different from that of Bengal, and we are obliged to come into contact with the people for many reasons, and that is a stimulus to learning the language.

35324. (Sir Theodore Morison.) It has been submitted to us that it would be a good thing if the Judicial Branch were recruited from two sources only, namely, from the Bar and the Provincial Civil Service. I gather that you do not support that?—No.

35325. Will you tell me why you do not support that? You have given some reasons. You say, for instance, that the Civilian Judge compares favourably with his barrister confrère?—I do not agree with the view that Civilian Judges are deficient in legal knowledge. I think every Civilian Judge has enough legal equipment to do his work efficiently. My chief reason for objecting to manning the Bench principally from the Bar is that a Judge cannot shake off certain habits which he contracts as a barrister. I think those habits are conducive to delay as they attach undue weight to legal technicalities. Since I wrote my answers I have come across two articles which appeared in the *Pioneer* and the *Times* of

India and with your permission I would invite your attention to them. The article which appeared in the *Pioneer* is dated the 18th February, and my view has been very well developed in that article. The writer says: "It is exceedingly rare to find the Bench recruited from the Bar except in Great Britain." He points out that the reason why the Bench and the Bar are practically amalgamated in England is due to constitutional grounds. This system is peculiar to England, and there is no reason why such a practice should be transplanted into India where the conditions are different. We are trying here to copy England. That is the only ground for demanding recruitment from the Bar.

35326. You would have to show that the system which does exist in England will not succeed here?—It does not necessarily follow.

35327. Why does it not necessarily follow?—Because the masses here are entirely ignorant and illiterate; and their cases are not put up so well in India as they are in England. You have solicitors who work up the cases. Here the average cultivator, the ryot, goes to the lawyer, and the case is not put up so well as it might be in England. There is a great difficulty in disentangling the relevant from the irrelevant points involved in a case. This point has been very well brought out by the writer I have referred to. He points out: "Knowledge of the law is not the only qualification required of a Judge." I think the Indian Civilian Judge has exceptional qualifications for those functions.

35328. You think he has qualifications which are stronger than those of the Indian Pleader, for instance, who has practised in a District Court?—Yes, I think so. I am speaking of the average person, not of the eminent lawyers and Judges who have been recruited from the Bar. I do not for a moment wish to reflect upon them, but, as a rule, I think the Civilian Judge grasps facts better if he is thrown among people in his early career.

35329. From answers which you have given to the Chairman and to Lord Ronaldsday I gather that you think the Civilian does get a fair knowledge of the language and of the people?—Yes, I think so.

35330. In answer to a question put to you by the Chairman I think you said that the routine work of the Civilian can be got through in about six hours of the day?—I was speaking of a comparatively light district.

35331. When he has finished his routine work has he discharged all his duties?—No. There are many other things which concern him, such as Municipal affairs, Local Board affairs, and District Council's affairs, and the special problems which are to be found in almost every district.

35332. You did not include them?—No.

35333. So that he has six hours' routine work, plus the other things?—Yes. In an average District the people come to see him twice a week, and he has to see them.

35334. That you do not include in his routine work?—No. It varies according to the personal element.

35335. So that you do not mean to imply that he can devote the rest of the eighteen hours of the

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day to amusing himself?—No, not for a moment. I am speaking of a small District.

35336. Have you seen the proposals which have been laid before us by the Association of the Commission of this Province?—Yes.

35337. Do you support them?—Not entirely.

35338. Could you tell us, briefly, where you differ from them?—I differ with regard to the time-scale of pay, which I think should be limited to Assistant Commissioners, to the lower grades of the Service. I would restrict it to Assistant Commissioners.

35339. Would you give us the limits. Should an Assistant Commissioner come on at Rs. 400?—I agree with the enclosure to that Memorial.

35340. You think he should start at Rs. 450?—Yes.

35341. And rise up to what?—In the second year he ought to get about Rs. 550.

35342. And subject to passing the examination?—Yes.

35343. And after that he rises by Rs. 50 a month?—Yes. I should say that up to the tenth year of his service his pay should be on the time-scale. I am assuming that the block in the promotion would be removed by the time these proposals come into effect.

35344. And after that?—After that there would be grades for Deputy Commissioners.

35345. As a matter of fact, is there very much selection in the present grade system?—I do not think so. I think promotion is, as a matter of course, by seniority among the Deputy Commissioners.

35346. What advantages has it got over the time-scale?—I do not think there is any advantage at all. The time-scale would remove a lot of drawbacks which exist at present.

35347. But I understood you to say that you wanted a time-scale up to the tenth year of service, and that after that you would revert to the grade system?—Yes; because I think the pay of a Deputy Commissioner, that is the third-class Deputy Commissioner, of Rs. 1,500 should be adequate, provided he draws that pay after ten or eleven years' service. That is not the case now.

35348. Would you leave it after that to the chances of seniority?—Tempered with selection, of course, as laid down in the Government of India's Orders.

35349. You do not advocate any change in the system which would make selection rather more prominent than it is at present?—I am in favour of selection.

35350. (Mr. Madge.) You are a Deputy Commissioner of how many years' standing?—I have acted as Deputy Commissioner off and on for three years. I am not a *pukka* Deputy Commissioner. I am an Assistant Commissioner of the second class, and I have completed thirteen years' service.

35351. You think your executive experience in this way has given you a valuable knowledge of the people which has helped you in the opinion you have given further on about the separation of the Judicial from the Executive?—Yes, certainly.

35352. In answer to question (1) you refer to the certificate required from two respectable

persons to whom reference may be made as to character after the competitive examination has been passed. You think this should be made a condition precedent to admission. There may be no real contradiction, but how do you secure this certificate which you get—after examination, or before it?—I mean that every candidate for the Indian Civil Service should produce a certificate from his tutor. Almost every candidate is a graduate or undergraduate, and he should produce a certificate from his College tutor.

35353. How would you manage in those cases, however few they may be, in which a man goes from a private school and passes without a tutor?—I should require a certificate from the headmaster of the school.

35354. You have spoken about "the sudden contact with alien, social and moral conditions at an impressionable period of life." Is there any corresponding phenomenon in the case of Indians going to England?—There is.

35355. Your experience has been rather happy with regard to the men whose careers you have watched. We have heard in a large number of cases that the result is just of the opposite kind, not only for the Indian Civil Service, but generally for Indian students; so far as the conditions prevailing in large European cities are concerned the result has often been unhappy?—I am speaking of selected Indians after graduating in India, men who have some grit and stability of character, and who are sent generally to one of the Universities.

35356. You think that traces of character are sufficiently discernible at that early period to guarantee all that is wanted later on in life?—Surely at the age of twenty you ought to be able to foretell to a great extent how a man is going to turn out. There are exceptions, I quite agree; but generally speaking you ought to be able to guarantee it.

35357. He might afford some guarantee in his natural conditions, but if he is transplanted to conditions of a different kind the risks are very much greater?—My experience is quite different. Indians generally stay in England for about three years, and I saw at least three generations of Indians. My opinion is based upon my personal experience.

35358. As regards the scholarships which you propose to give, those scholarships might be quite justifiable if the majority of cases turned out as they ought to, but there is a risk that there may be failures?—I said about 75 per cent. will probably be successful, not all of them.

35359. You have ground for thinking that a large percentage would be successful?—Yes.

35360. In answer to question (7) you say: "The destruction of the predominance of the British element in consequence of the over-recruitment of Indians would probably impede the industrial progress of India by frightening away European capital which is essential to the development of the country for a long time to come." Do you think that any change in the tone of the Administration would result seriously, to the Government on the one hand, and, on the other hand, to the country at large?—The tone would be influenced by the *personnel*; but if you unduly

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reduce the European element I think it would affect the spirit of the administration, and cease to attract capital to the same extent as it does now.

55361. Do you think that this investment of European capital has largely promoted the prosperity of the country?—Yes, certainly.

55362. And has improved the circumstances and the happiness of the masses generally, and provided labour, and sanitation, and all that kind of thing?—Yes, I certainly think so.

55363. With reference to the recruiting from the Bar, although you reduce it to very narrow proportions, yet there is some recruitment, and in every case you could not guarantee the best members of the Bar joining. How would you compensate for the want of that experience which you think so valuable which is gained by Civilians in their Executive duties?—I think that objection is met by the restriction laid down in the Civil Service Act. If I remember aright it is laid down that any person selected should have resided in India at least for seven years. It presupposes a certain amount of legal knowledge and experience, and I have said that such recruitment should be subject to the conditions which are laid down in the Civil Service Act.

55364. It has been suggested to us that the better class of barristers have better prospects in their profession than joining the Service?—I do not mean to say that we should be able to get the pick of the Bar. I think a moderate man ought to make a good Judge. We have had instances of men who were moderately successful accepting appointments in the Judicial Branch.

55365. Large enough to satisfy your expectations?—I think so.

55366. In answer to question (88) you refer to the proposed period of bifurcation. Supposing it did take place throughout the country, at what period would you have it in a Civilian's career?—I should say in the fifth year of service.

55367. You have said: "I have never heard any complaint on this score from the people, and enquiries made by me of experienced members of the Provincial Civil Service confirm me in the opinion that the agitation against the continuance of the present system is not by any means a reflection of popular feeling." You have no hesitation in saying that that is the general opinion of the country?—I am not prepared to say that it is the general opinion of the country. I am speaking with reference to my experience in these Provinces.

55368. And not only of any particular class, but the great body of the people here?—Yes.

55369. (Mr. Fisher.) Would you propose to distribute your scholarships evenly between the different Indian Universities?—That is what I have said in my answer. I think I would certainly do that. It would avoid any heart-burnings.

55370. You would entrust the duty of recommendation, as I gather, not to the Senate, but to the Syndicate?—To the University authorities, which would include both the Senate and Syndicate. The proposals would finally be passed by the Senate.

55371. You think that their decision would be generally regarded as satisfactory and impartial?—Yes, I think so.

55372. Reverting to a line of enquiry which was opened by Lord Ronaldshay, assuming that it was desirable, in order to recruit the best English candidates, to fix the age of the competitive examination at 19, the school-leaving age, it would be necessary to compensate the Indians for that change, which, in itself, would be unfavourable?—Yes.

55373. I should like to have your advice as to the best method of doing this. There are, I suppose, three methods which might be tried, either separately, or in combination. First, the method of separate examination in India for a certain number of appointments, the candidates chosen at that examination to pass through a period of probation in England at a University; secondly, there is promotion from the Bar; and, thirdly, there is an extension of the listed posts system?—Yes.

55374. May I ask your opinion as to the first of these possibilities? What do you conceive would be the objection to a separate examination in England for a limited number of posts in the Indian Civil Service, either a national examination, or an examination held in the different Provinces?—A national examination would be the least objectionable. Even then, the men who would be recruited by this means would labour under the stigma of being intellectually inferior to their English confrères, because they would probably not have had the same intellectual attainments as the English candidates; and I think that should be avoided at all costs. That would lead to a distinction between the two branches of the Service.

55375. You do not think that stigma would be effaced if, after their election, they passed a brilliant University career in England?—You cannot always ensure that. What would you do with the failures?

55376. It might be conceivable that a certain number of Indians elected in India might, during the probationary course, defeat the English candidate who had been elected in India?—Yes, it is quite possible.

55377. In that case, would the stigma remain?—Not in that case; certainly not.

55378. That would happen, on the law of averages, in a certain number of cases?—Yes, probably. Given careful selection, probably that would happen in a certain number of cases.

55379. Supposing that device were resorted to, would you suggest that the University authorities should nominate a certain number of students to compete in this national examination in order to obviate the evil to which you have alluded, of a great number of candidates, and a great number of disappointments?—Your proposal assumes that you would select them at a fairly early age. At that time the University authorities would not be in a position to exercise their discretion as they would at a later stage, because they have very few data to go upon. You would probably select a boy when he has passed the Matriculation examination. I have known of an instance in which an

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Indian got his First-Class in the Matriculation examination, and did not succeed in the Indian Civil, although he had spent about ten years in England. Such cases are possible. He was a boy who had passed his entrance in the First Division here. He was sent to England, and he remained there for seven or eight years at a public school. He then went to Cambridge, but he did not succeed at the competition. Yes, there are several such cases.

35380. That risk of failure would attach equally to Indian and English candidates under the proposed system?—Yes.

35381. The Englishman might go off intellectually during the period of probation?—Yes.

35382. It is a risk which would have to be taken?—Yes.

35383. But the risk would not be greater, would it, in the case of the Indian than in the case of the Englishman?—I cannot hazard an opinion.

35384. Do you think, from an educational point of view, that there is anything to be said against such a separate examination in India at the age, let us say, of eighteen or nineteen?—Do you imply that you would close the open competition; or would that be supplementary?

35385. It has been suggested to us by advocates of simultaneous examination that it would be a great advantage for Indian education that as many people as possible should go in for the English competitive examination, for the examination which has been specially framed in order to bring the best Englishmen on to India. On the other hand, it has been objected that an examination specially framed for Englishmen is not likely to suit Indians, and that it would be preferable to have an examination developed in India, adjusted to the existing curriculum of the Indian Universities, and capable of being checked according to the best expert opinion in India. On that view a separate examination would be preferable, educationally, to a simultaneous examination. Would you agree?—I would prefer it to the simultaneous examination under those conditions.

35386. But you would safeguard a separate examination, first of all, by a preliminary nomination by University authorities; and, secondly, by a subsequent period of probation at an approved University in England?—Yes, certainly.

35387. And you would also hold that there was, at any rate, a chance that the stigma which is popularly supposed to attach to separate examination would be effaced by the University record of the Indian students so selected?—I certainly think so.

35388. (Mr. Sly.) You have told us that you have served for thirteen years in the Central Provinces?—Yes.

35389. Has any period of that service been in the Judicial Branch?—No.

35390. It has been wholly Executive?—Yes, wholly Executive.

35391. Can you tell us whether your relations with your European colleagues in the Service have been harmonious; or have you experienced any difficulties on account of your race?—My relations have been most harmonious throughout my career.

35392. In reply to Sir Theodore Morison, you have stated that as Deputy Commissioner you had about six hours' routine work a day. Do you mean actual work of a routine nature, or do you mean that six hours were employed in Court and office work?—Yes, including Court work, and office work, and at headquarters: but not in camp. There is a lot of extra work in camp.

35393. You have recommended an increase in the listed posts. Can you tell us whether the existing system under which a very limited number of listed posts is available is really popular in the Provincial Service or not? Does it make for contentment or does it make for discontentment in the Provincial Civil Service? Is the fact that a very few selected officers in the Provincial Civil Service are able to rise to the listed posts an attraction to the Provincial Civil Service; or does it cause a certain amount of discontent and disappointment amongst the mass of Provincial Civil Service men?—As far as I can judge, I think it causes a certain amount of dissatisfaction, but not dissatisfaction which I would describe as acute. The ambitious members of the Service think that a larger number of posts should be open to them; those who think that the number is not sufficient.

35394. On the whole, do you consider that it is a good thing for the Provincial Service, or a bad thing for the Provincial Service, that it should have a small number of listed posts?—I have indicated in my written answers, and I still think, that the training of the members of the Provincial Civil Service is not conducive to their success as District officers; and, for that reason, I have suggested that we should recruit, as far as possible, from England by competition. It is not the fault of the *personnel*, but of the system. They are accustomed to taking orders from higher officers, and there is a lack of initiative generally. I have known some of them who have done well as District officers, but they do better as Judges.

35395. Under such conditions, what do you think is the most suitable age at which selection should be made from the Provincial Civil Service to these listed posts? Do you recommend that it should be a prize to be gained by the Provincial Civil Service officer towards the end of his service; or do you recommend that it should be an officer chosen on account of exceptional merit and ability at a fairly early stage of his service?—My own inclination is that they should be selected at an early stage of Service; but it is open to this objection, that it would have a depressing effect upon the hulk of the members of the Service, and that is to be avoided.

35396. Having balanced the advantages, and disadvantages, what course would you recommend?—As I have said, I would leave things more or less as they are, except that, probably, in certain Provinces you might raise the percentage to a certain extent, even under present conditions; but I would rely, chiefly, on open competition in England for recruitment.

35397. You have given an opinion in favour of the maintenance of one year's probation in

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England for successful candidates in the open competition?—Yes.

35398. Did you yourself go through one or two years' probation?—One year.

35399. We have had a certain amount of evidence to the effect that owing to the shortness of the period of one year it is impossible to gain anything but a smattering of knowledge in a few subjects; and that practically one year's probation in England is a waste of time because it brings the officer out older than is desirable; and that very little real knowledge is gained. What is your opinion upon that point?—Which knowledge are you referring to, a knowledge of law, of vernaculars, Indian languages, or history,—there are so many subjects?

35400. The present probationary course of one year includes a certain instruction in Indian Law, and in Indian vernaculars: it has been stated that the instruction which can be given in a portion of the year's probation is so elementary that it is a waste of time, and that it is much more important to bring out the young Civilian to India a year younger?—I am opposed to that view. I am in favour of the present system.

35401. You believe that the one year's probation in England is a distinct advantage to a successful candidate in his future career in India?—Yes, I certainly think so.

35402. Now with regard to your proposals for the improvement of the Provincial Civil Service. In answer to question (10) you have recommended a small alteration in the grading. I think it is possible that there may be a misprint?—Yes. I said I would abolish the grade of Rs. 200. It has been printed as Rs. 300. It ought to be Rs. 200.

35403. Your proposal is that a probationer should start on an initial salary of Rs. 150; that if he passes his Departmental examinations he should be promoted as a probationer to Rs. 200; and that when he gets his first permanent appointment it should be one to a grade of Rs. 300?—Yes.

35404. Do you consider that this will be adequate, or do you wish to have a further improvement in the grade and pay of the higher appointment?—I have suggested that the highest grades should carry pay of Rs. 1,000, as in Bengal. I think that would satisfy the aspirations of the members of the Provincial Civil Service to a very large extent.

35405. With regard to the Provincial Civil Service, you have expressed an opinion that the grading system is preferable to a time-scale; but in regard to the Indian Civil Service you have expressed the contrary opinion, that a time-scale for Assistant Commissioners is preferable to grades?—Yes.

35406. Why do you hold this diversity of view with regard to the two Services?—I am sorry I cannot answer it just now.

35407. Do you know any particular reason why a time-scale should not be granted to the Provincial Civil Service?—Because the work of a member of the Civil Service is more in evidence, is more in the limelight, so to speak. The Civil Servant works more under the gaze of the public than a Provincial Civil Service man does. There

are many means of finding out whether he is a capable person or not; but the same check does not exist so far as the Provincial Civil Service man is concerned. There should be stimulus to efficiency.

35408. But that objection also is, in one way, an argument in favour of a time-scale, is it not? Where there is very little selection, as you stated, the Provincial Civil Servant does not come under direct notice. Under those conditions the time-scale is even a more suitable method of regulating their promotion than the grading scale, is it not?—My proposal must be taken in conjunction with the other proposals. I have said that a member of the Civil Service is liable to be weeded out in the first five years of his service if he proves to be undesirable from any point of view. There is a check there. Those who remain would be, presumably, competent men; and they are entitled, I think, to an increase in their pay according to time-scale up to a certain limit.

35409. Would you not have some check in weeding out with regard to the Provincial Civil Service?—As a matter of fact, two years' probation is tantamount to weeding out, to a certain extent; but we deal only with those who are absolutely incapable.

35410. With regard to pension in the Provincial Civil Service, you have recommended a pension of Rs. 600 a month or Rs. 7,200 a year, which is a very substantial improvement on the present pension of Rs. 5,000 a year?—Yes.

35411. Do you think it would be reasonable to give a pension of Rs. 7,200 a year to Provincial Civil Service officers, when the pension of all the other Services in India, except for a few specified posts, is limited to Rs. 5,000?—Of course that is subject to the condition that they should have held charge of a district for a period of five years.

35412. The present condition with regard to other Services is that if they have held a certain specified post for a number of years they should get a pension of Rs. 6,000. Do you think that the necessities of the Provincial Service would be adequately met by putting them on the same plane as Superintendent Engineers, Conservators of Forests, and other people whose pension is fixed at Rs. 6,000?—I was not aware of that rule when I wrote this.

35413. In answer to question (62) you have alluded to a marked increase in the number of Europeans permanently or temporarily resident in India. Does that apply to the Districts of the Central Provinces?—Not to the same extent.

35414. As a matter of fact, has there been in the Central Provinces a marked increase in the number of Europeans living in the districts?—I am referring to people who come for three or four months in the year to do some shooting, or to see the country, that class of people; or even people who have come to stay with their friends for a reasonable time?—There has been, I think, an increase in the number of that class of people.

35415. Is it not a fact that in the Central Provinces, at least, there has been a substantial reduction in the number of Europeans owing to the abolition of many cantonments, and the removal of a substantial proportion of the

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Military forces which used to be employed in the Central Provinces?—Yes.

35416. Do you think that the number of Europeans in other Services, such as the Medical, Forests, and other important Services, employed in the districts in the Central Provinces in such capacities, has increased or decreased? Is it not the case that there is a substantially larger number of Indians now employed in such posts as Civil Surgeons, Forest Officers, and others, than used to be the case?—Yes. But against this you must set off the fact that a number of new posts have been created in Agriculture and other Departments, which have caused a large increase in the number of European officers.

35417. Is it not also the case that these posts have all been allotted to one or two large towns, and not generally to the districts?—My answer was a general one. I referred to India as a whole.

35418. (Mr. Macdonald.) I should like to have a little more information upon this point which Mr. Sly has referred to in your answer to question (82) where you say that the Suez Canal has had a good and a bad effect, and you suggest that the bad has rather predominated over the good; and then you come to the conclusion, "the fact is that India is no longer the adopted home of the European officer; it is but a land of exile." As I understand, you come to that conclusion, not from your own experience in the Central Provinces, but from an idea which you have of the whole of India?—Yes.

35419. Have you had enough experience of the relations between European officers and Indians outside to enable you to come to this conclusion?—There is no doubt that in the old days officers had greater opportunities of knowing the people than they have now. People did not take leave so frequently as they do now, and they were thrown a great deal more among Indians than they are now, because of the lack of facilities for mixing among their own people. Improvement of communications is another important factor.

35420. With regard to what you have said in connection with furlough, in so far as this conclusion is accurate and can be substantiated by facts, do you think it affects the conditions of furlough and privilege leave?—I think people take more leave to Europe than in the old days: probably not more in the aggregate, but more frequently than they did.

35421. You think that they may not take the same amount of leave, but that they go oftener?—Yes.

35422. Do you think that that is bad for India?—I do not think it is bad for India; but it explains, to a certain extent, the imperfect acquaintance with the languages of India.

35423. The effect of it is to establish a sort of England in India, which does not assimilate itself so much with India as the England in India did, say, a couple of generations ago. That is what you mean to put before us?—Yes.

35424. And if we could help to make the assimilation a little more complete than it is now, we will be doing a good service both to the Service itself and to the people of India?—I was only concerned with that particular question.

I think it varies according to the Province. In a Province like this, where you are thrown amongst people a good deal, there is more touch with the people than in Bengal.

35425. With regard to the men who are coming out, the new recruits, do you come into personal contact with many of them?—No. I have taken a lot of leave of late years.

35426. In so far as you answer the first question and pass judgment upon the effects of simultaneous examination, it is not because you can put your finger upon this man and that man and the other man and say that that experience of yours has justified the conclusions to which you have come?—I argued like this. I have come across a large number of Civilians, and those who have not come up to my standard of efficiency have been the exception, and not the rule.

35427. It is a small percentage?—Yes, it is a small percentage.

35428. And you do not venture to hope that any system of nomination and selection by examination or otherwise, which either you or we can construct, is going to relieve the Service of some small percentage of more or less objectionable persons?—No.

35429. They will crop in, whatever system we adopt?—Yes.

35430. Have you thought of it in this way? You take your crowd of inexperienced young men who come out here year after year. Some show roughness and lack of experience. If you were to select them at that moment you would be rather doubtful as to whether you would pass them; but when you meet those men five or ten years afterwards, after having been licked into shape, do you find, then, that you would have the least doubt whatever in passing them?—That is so.

35431. As a matter of fact the only real test which can be imposed upon a man in the Indian Civil Service is how he is doing his work in the Indian Civil Service?—I must say this, that I also think his relations with the people, and his private life, to a certain extent, also, should be taken into consideration, because the Service is one which commands a great deal of prestige, and I think men should live up to the traditions of the Service.

35432. Take John Smith, a typical Englishman. How do you know that John Smith is going to live up to the traditions of the Service until he has got a chance?—You cannot say at the beginning.

35433. The traditions of the Service in India are not the traditions you get in England. It is the English traditions. Adopt the Indian conditions, and it will give a man a chance of showing his capacity to adapt himself. You cannot condemn him, and you cannot praise him. Therefore no method of selection is fundamentally wrong because it does not touch in the least the problem which has got to be solved by us. Do you agree with that reasoning? How am I going to get out of the difficulty I am in?—That is substantially the view I have put forward. I have said that the present system is successful on the whole, and the few failures should be eliminated during the first few years of service.

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35434. Do you agree with what I have said?—I agree with you.

35435. In answer to question (7) you refer to simultaneous examinations, and you give a variety of reasons for them?—Yes.

35436. May I ask you, quite fundamentally, have you followed the proceedings of the Moslem League recently?—Yes.

35437. What is the view of the Moslem League with regard to simultaneous examination?—They have not formed a definite opinion upon it.

35438. Have you been following the decisions of the sections of the League?—Not to any great extent.

35439. Do you know if any important sections have passed resolutions in favour of simultaneous examinations?—I am not aware of any.

35440. Have you been following the evidence which has been placed before us in other Provinces?—I followed the evidence of His Highness the Aga Khan with great interest.

35441. And have you followed the evidence of any other Muhammadan leaders in the Provinces?—Yes.

35442. Have you formed an estimate of the balance of the evidence in that respect?—On one point I should like to make myself quite clear. My view is that if you were to ascertain the views of the educated classes in India the probability is that you would find the majority of the people in favour of simultaneous examination; but I have to look at the question from the point of view of India as a whole, from the point of view of efficiency, expense, and everything; and my views are based upon that assumption.

35443. You would not ask us to assume that those who have given us evidence in favour of simultaneous examination have never thought of efficiency, and have never thought of expense?—They have, of course.

35444. It comes to a matter of judgment?—That is so.

35445. One of the reasons you have given against simultaneous examination has been given by previous witnesses. You have known of cases where applications were made for transfers of the legal causes?—Yes.

35446. Have you any experience of the home judicial procedure?—Yes, a slight experience.

35447. Is it an unheard-of, or unknown, thing for applications to be made at home for the transference of venue?—I do not know that I have heard of any. I have heard of complaints of inadequate sentences.

35448. Will you answer my question, please? Have you never heard of applications made to the High Court at home for the transference of cases from certain districts to London?—I cannot recall such a case.

35449. In answer to question (7) you say, speaking of simultaneous examination: "The result would be that they would swell the already large multitude of discontented men who are annually manufactured by the Indian Universities. The discontent of the 'failed I. C. S.' will be in proportion to the money and time spent on preparation for a notoriously difficult examination." How far are you going to carry it? Will you carry it to the length of closing all the Univer-

sities as manufacturers of discontent?—No; but I think in this case the discontent would be greater because they will study the specialised group of subjects over a number of years, and the expense will be proportionately heavy.

35450. Have not the subjects been specially selected and the papers specially drawn up to suit the convenience of the Oxford University?—I must say from my personal experience that more Oxford men get into the Indian Civil Service than Cambridge men, but I do not know whether it is due to any unconscious attempt to favour the Oxford candidate. I do not think so.

35451. Did you follow the published reasons why an enquiry is now being held into the Home Civil Service, one of the reasons being that Oxford had taken good care to select the subjects for entrance so that it had a special advantage not only with regard to the Indian Civil Service Examination but other Civil Service Examinations which were open to competition? Have you heard that alleged?—No, I have not.

35452. Supposing I am right, and that the Indian Civil Service Examination is based upon the very best educational policy that Oxford experts have been able to devise, so as to produce the British tone and the British character and the British basis, and supposing I am also right that it is dangerous for Indian Universities to follow an Oxford line, do you think that your characterisation of the Indian Civil Service Examination is accurate?—My point is that you cannot produce the same morale by any artificial means. It is out of the question.

35453. Take this point of the educational test of the Indian Civil Service Examination. You said something about the subjects, (I am afraid I cannot reproduce your words), but you want your Universities in India to become more and more like Oxford and Cambridge; that is the line of development, not the accidental line of development, but the conscious line of development?—Yes.

35454. Let us see how far our logic carries us. We get an Indian Civil Service Examination which is devised pre-eminently as a sort of flower and fruit of an Oxford training? What is your objection to making it the flower and fruit of an Indian training?—Because, as I have said, I consider that prolonged contact with Western ideas is necessary.

35455. That is entering upon another point. I want it from the educational point of view alone?—From the educational point of view I have no objection, none at all.

35456. The Universities, you say, produce a large amount of discontent, and you do not want to have an Indian Civil Service Examination added to that discontent?—No.

35457. Is not the British method on those occasions to go right through with it, and settle discontent in other methods? If education is a good thing, and the Indian has not got proper advantages in sitting for examination, is it not the glorious characteristic of British courage and foresight and determination that it goes right through, and does justice though the heavens should fall; though you may be perfectly certain that if it

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does not do justice the heavens will not fall?—As I have said, you cannot get over the difficulties involved in having simultaneous examination in India.

35458. Apropos of that, in reply to Mr. Fisher you said that you would protect yourself if you had a separate examination in India, by nomination, that those who would be entitled to sit for this examination should be nominated by college heads?—Yes.

35459. You did not use the expression "College"; I am putting that into your mouth. You said, University heads and tutors?—Yes.

35460. You would include the Colleges, would you not, the Colleges affiliated with the Universities? Take the Bombay University. You get three Colleges there, the Elphinstone, St. Xavier's and the Wilson College?—Yes.

35461. For the purpose of enabling students, —B. A.'s—who have passed the Bombay University, you would allow the Principals of those Colleges to nominate their men?—That is a question of detail which I would leave to the local Government; but, ordinarily, I should think that would be the way in which they would work.

35462. My difficulty is this. If you take the view you do of Indian education, your nomination by the Colleges is no guarantee at all; but, as a matter of fact, if your view is correct, you will have such a pressure brought to bear upon these men, whether professors, or teachers, or principals, which would make it absolutely impossible for them to deny any appreciable number of men the right to sit at the examination. Do you agree with that?—I would frame the rules so that I would nominate only a fixed number of boys.

35463. You cannot surely settle this matter, can you? I want really to get at the bottom of all this. You cannot settle this matter on mere absolute numerical statements. I can understand you settling the number of Indians in the Service, as you propose to do; but for the purpose of getting your reservoir from which you are going to draw your successful men, how can you settle that on a mathematical basis only?—It is not an ideal arrangement. It is a *pis-aller*; it is the next best thing.

35464. Have we not had far too many *pis-aller* which cannot settle anything?—Assuming my *pis-aller* is not accepted, I said that the proposal of Mr. Fisher was the next best.

35465. But you stick to nomination?—I stick to nomination by an agency which would be above reproach.

35466. The problem practically is this, that every boy who has passed his B.A. will come up and say, "I want to sit for the examination." I ask you how it is possible for that "it," whether Board or Local Government, to say in justice, except in a very few cases: "We will not allow you to do it"?—Such a system would involve a great amount of discontent.

35467. It would be one of these *pis-aller*. It would also give the Indian youth the impression that it did not matter what England did, it never did it satisfactorily?—Yes.

35468. Have you not come to the conclusion that if we are going to settle this thing in such a

way as to establish confidence in our rule, we cannot possibly settle it in such a way that Indians will say as soon as we have settled it, "Now we will start anew agitation for something more, within the next year or so." All these *pis-aller* and all these half-hearted proposals are very wrong, are they not?

35469. (Chairman.) That is a leading question.

35470. (Mr. Macdonald.) I hope I have not been asking questions which are anything more than ordinary questions.

35471. (Chairman.) I think they have gone rather beyond ordinary questions.

35472. (Mr. Macdonald.) I am asking the witness if he disagrees with my argument. If the witness does disagree with me, I am perfectly certain he will say so. I have finished. (To witness.) You want to increase your number of listed posts?—Yes.

35473. From the point of view of efficiency, if you materially increase your listed posts, you must put men into the service who have not been trained in England, must you not?—Yes.

35474. The whole of your experience is subordinate experience as far as Administration is concerned?—Yes.

35475. From the point of view of efficiency, do you not think that that is a great mistake?—You must remember that you will pick out the very best men; and the Provincial Civil Service is so large that there is a possibility of selecting few men who would justify their appointments.

35476. My difficulty is this. Whilst agreeing generally with the principle of listed posts, I take the view that you must keep the listed posts just to a minimum, and that the strength of the Indian section in the cadre must be of a different type of men?—That is precisely my view.

35477. Do you take that view?—I have said I would aim at getting as many Indians in as possible by recruitment in England. I have said that clearly in my answer.

35478. But I understand you want a substantial increase in your listed posts?—Under present conditions it will take some time to get Indians recruited in England in large numbers. As a temporary expedient I have suggested that the number of listed posts should be enlarged — as a purely temporary expedient.

35479. My difficulty is that if you once increase, substantially, the number of listed posts, how are you going to reduce them?—Those who get in would remain in. You select men when they have put in 25 years' service, and they would retire in the ordinary course in five years. They would be gradually eliminated.

35480. They would be eliminated so far as the individual is concerned, but how about the Provincial Service itself?—There is scope for extending the system with regard to the Judicial branch of the Service. I think our men do quite as well as Judges, and there is no reason why it should not be made a permanent arrangement: appoint more men to the Judicial branch of the Service.

35481. But would not there be the difficulty that the Executive branch of the Provincial

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Service would be sacrificed, or that it would not get the same number of prizes that the Judicial branch would get, and in that way you would create a new set of disturbances?—My opinion is that in a matter of this kind you would have to be guided primarily by the consideration that you are doing all this in the interests of efficiency and of the good government of the country. The greatest good of the greatest number is the primary principle; and I would subordinate all other principles to this policy.

35482. You see the difficulty?—Yes, I see the difficulty; but the agitation would be confined to a small section of the people, and I think it ought not to have undue weight.

35483. (Mr. Chaudh.) Am I right in supposing, whether it is the simultaneous examination or whether it is the proposal of a separate examination or whether it is your proposal of scholarships, these are only different methods for the purpose of satisfying the aspirations of certain educated classes in India for a larger employment in the higher services of the country and it is for this purpose that those different methods are suggested?—Yes.

35484. I suppose you are agreed from the answer you gave to Mr. Macdonald that any method which anybody suggests is expected to last for a sufficient length of time, and for some time to come, at least more than a generation, so that the Indian aspirations may during that period be satisfied, by what is proposed to be done now?—Yes.

35485. If that be so, I proceed to ask you a further question. In the first place, I should like to be clear in my own mind as to what you really meant when you said in answer to a question from Mr. Macdonald that your scheme of scholarships was likely to satisfy the moderate section of educated India, but not the section which wishes to run the administration on Indian lines. Do you mean by this latter class those who ask for the simultaneous examinations?—Not at all, no; certainly not. There are many who ask for the simultaneous examinations but who would be satisfied with my suggestion, if accepted.

35486. I understand that you are thinking of a section (as a matter of fact it is news to me at least, and I did not gather it from the evidence we have taken) of the Indian public, which desire to run the Indian Administration on Indian lines?—Yes.

35487. Is there any such section?—That section is, I think, very small.

35488. But is there any section which wishes to run the Indian Administration on Indian lines?—Yes; those whom we term extremists nowadays would belong to that section.

35489. Let us leave that section alone. You do not class them among those who are advocates of the simultaneous examinations?—Well; they naturally ask for it, because they cannot get anything better.

35490. The one class which wishes to run the Administration on Indian lines is not the same class that wants simultaneous examinations. Is that what you mean?—What I mean is that both the extremists as well as others ask for the simultaneous examinations.

35491. Do the extremists, whatever their number be, small or great, in advocating the simultaneous examinations put forward any such scheme as that calculated to run the Indian Administration on Indian lines?—I am not able to follow you.

35492. The idea which has been proposed to us is to have exactly the same examination as you have in London, identically the same syllabus, but only the place of examination being different, one examination being centred in India and one examination in England. I do not quite understand what you mean when you say that those who advocate the simultaneous examinations do it, or any portion of them do it, because they wish to run the Government on the Indian lines?—A very small section of that class of people want to run India on Indian lines.

35493. If it is to be the same subjects, the same examination and the same curriculum, then the administration must be run on English lines?—They ask for it, because they know that anything else is beyond the range of practical politics.

35494. Those that have suggested the simultaneous examinations in the sense I am speaking of—the same examination, the same examiners and the same subjects—cannot be charged with a desire to run the administration on Indian lines?—Certainly not.

35495. I should like to know for what length of time would your scheme of scholarships last—the scheme that you have proposed in your written answers?—It is very difficult to see far into the future, because India is undergoing rapid transformation; but I should say that if Indians were appointed to the higher offices to the extent of the 30 per cent. of the superior posts, for another fifty years, at least, there should be no agitation.

35496. How many superior posts are there in the whole country, including Burma and India?—That I could not tell you off-hand.

35497. It is 660?—May be so.

35498. According to the irreducible minimum which you have given us, how many posts are available for Indians, out of these 660, according to your standard of one-third?—I say that we should work up to one-third.

35499. You mean in one place one-third and in another place one-fourth?—No; I say that we commence with 20 per cent. and we work up to one-third.

35500. Whatever that percentage is, the scheme of scholarships must necessarily come to an end directly you come to your irreducible minimum?—No. I will probably continue it, if private assistance and private enterprise do not develop in that direction.

35501. That adds to my argument—the question of private resources and private efforts. Parents' means may enable them to send their sons to England whether they get scholarships or not, and added to that you put 12 scholarships, out of which according to your own calculations you expect nine to come off successful, and you will have nine every year *plus* those who pass out of those who proceed to England from their own means or supported by private funds?—I should say another six.

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35502. With that number coming up every year will it take a long time to reach your limit?—We shall have fifteen, that is, six plus nine. The average number recruited every year is 60. That will be 20 per cent.

35503. With the addition of 15 every year, one-third of the limit for the employment of Indians that you are thinking of is likely to be reached not in the very distant future?—I should say it ought to be reached, but it will be difficult to say exactly when.

35504. Can you say in less than 15 years?—I cannot say that.

35505. That is the point of view from which I should like you to consider it. The proposed scheme of scholarships, if based on any limitation of proportion, must necessarily be a scheme lasting not for a very long time. That was what was passing in my mind. However, I will pass on to one question in respect of which your answer very nearly coincides with the answer that we had yesterday about these listed posts—the answer to question (37). May I ask you what is the pay which the men holding these listed posts, which are merged in the Provincial Service, draw?—It varies considerably.

35506. Whatever the variation be, from what to what does it rise. Am I right in supposing that it is not more than Rs. 500 or Rs. 600?—It is about that.

35507. Therefore, the merging of the listed posts into the Provincial Service has done nothing more than give a few more places on Rs. 500 and Rs. 600?—I cannot answer that question, because I have not looked into the figures carefully; but there is quite a large number of listed posts which have been merged into the Provincial Service.

35508. As a matter of fact, we had from other witnesses that about 30 years ago, there were only 40 appointments in the Provincial Service cadre as against 99 at present. But my point is that, before the listed posts were merged, the Provincial Service had places from Rs. 400 to Rs. 800. But the listing of these posts and merging of them into the Provincial Service has done nothing more than to add a few posts on Rs. 400 to Rs. 500 and Rs. 600 grades, which must be two-thirds of the pay which an Assistant Collector or an Assistant Magistrate in your Province draws?—The highest grade is Rs. 800.

35509. Let us take the Rs. 800 grade. It only gives a pay of Rs. 500 or Rs. 600. I know definitely in my own province we have from Rs. 300 to Rs. 800. The merging of the listed posts has done nothing more than to give in some provinces five places instead of two on Rs. 500 or five places more on a salary of Rs. 600 where there was originally only 3?—The number in this province is much larger. I relied on Mr. Moss-King's note. There are a number of men drawing a salary of Rs. 300 to Rs. 600.

35510. It does not make any difference. It may be a dozen posts. In Bombay 9 Assistant Collectorships were listed and the inferior listed posts were merged into the Provincial Service. That simply means that instead of three Deputy Collectors we have twelve. Then how do you say "the merging of the inferior listed posts in the

Provincial Service has satisfied the national aspirations to a large extent"?—I should think so.

35511. I want to know whether any scheme by which you add 4, 5, 6 or 8 places to Rs. 500 and Rs. 600 grades in the Service is calculated to satisfy the national aspirations?—I was guided by a reference to the Civil List. I contrasted the state of affairs which existed 20 years ago with the state of affairs existing now. I find that the number of posts on salaries of Rs. 300 to Rs. 600 and Rs. 700 has increased immensely. The number of posts is very large indeed as compared with what existed 20 years ago.

35512. You consider that the national aspirations of Indians are confined to getting a few more places on Rs. 500 and Rs. 600?—I did not say so. I said "to a large extent."

35513. I will take you through your answer to question (88), about which you have been questioned by two members of the Commission. In the first place you have stated in answer to one of the questions that you have never served in the Judicial department?—No, I never served in the Judicial department.

35514. Therefore, when, in answer to a question from Mr. Madge, you said that Executive experience in early years was of great use to a Judge in subsequent years, you were speaking without your own experience?—In what way? I have tried some civil cases, though I was never in the Judicial department.

35515. The question was put from this point of view. It has been suggested to us in the evidence in the other Provinces, that for the work of the District and Sessions Judges, the experience which a District Collector gets in his earlier years in camp is, as some put it, a *sine qua non* or, as others put it, a necessity or, as a third section put it, of immense value. From that point of view the question was put to you and you said you found it of very considerable value?—Yes.

35516. If you have never done District and Sessions Judge's work, you could not have said that from your own experience. I quite admit that you must have said that from some other experience, but not personal experience?—I must say that, in my capacity as an Executive officer, I had access to the case work done by Sub-Judges, Munsifs and Sessions Judges. Men of my experience ought to be able to judge as to the best qualifications required of a Civil Judge. It is from that point of view, as well as from the point of view of my own knowledge of civil law, that I gave that answer.

35517. I did not for a single moment dispute your ability or right to judge. My simple question was that the answer you gave could not have been given from your own experience as a District and Sessions Judge?—That is quite true.

35518. Let us go to the other portions of that answer. I suppose you are prepared to admit that the educated portion of the public—call it infinitesimal or small—do sincerely feel that there should be a differentiation between the functions of criminal and revenue officers?—Yes.

35519. This class of people, who sincerely feel that there should be a differentiation between the functions of revenue and criminal officers,

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certainly do not desire that a criminal should not be tried, but what they want is simply a change of officers and nothing else; it is not as if criminals are going to be let loose, but that they should be tried instead of by A, by B?—This statement is based on the assumption that the present system is defective in that it leads to injustice.

35520. You need not anticipate what is going to be my question. With reference to this class of public, who think that a differentiation could be had usefully, they desire it simply to the extent that instead of an officer of A class trying it, let an officer of the B class try it. I would ask you, do you consider that a proper administration of criminal justice requires any training, just as civil law requires some training in civil law?—It does not require more training than what is afforded by the present system.

35521. The question is whether a proper administration of criminal justice requires any training in criminal law or not?—Certainly, it does.

35522. Can you say that your tahsildars and magistrates have had any definite formal regular training in criminal law beyond what is given to them in these departmental examinations?—They have sufficient training to be able to judge those cases that come before them. I am speaking generally.

35523. You do not answer my question. Beyond the departmental examinations, have they any training in criminal law?—Criminal law is confined within the limits of the Indian Criminal Code, the Criminal Procedure Code and a few other Acts which can be mastered by any intelligent person in six months. They get that training. I am referring to the class of cases tried by tahsildars as third class magistrates, such as assault cases and rioting cases.

35524. Even if it be a matter of common assault, the principles of criminal law and Jurisprudence should be applied to it. Beyond the departmental examination, they get no other training in criminal law?—There are some officers who are exceptions; I mean those who have passed some legal examinations, some pleaders.

35525. I am not referring to them; but I am referring to the class of gentlemen from whom Mamladars or Tahsildars are recruited?—They have no such training.

35526. The cry of that section of the public which wants a differentiation is—it is an honest cry—let a criminal be tried by an officer of the B class instead of an officer of A class; and it proceeds from persons who think that an officer of the B class has a certain amount of training which in their opinion qualifies him to try it which an officer of the A class had not got. So far we are agreed. In the instance that you quote in your answer that “a distinguished member of the Provincial Civil Service who has just retired told me lately that he could not recall a single instance in which the District Magistrate interfered with his judgment and discretion in the disposal of criminal work”; did that distinguished Civil Service officer intend thereby to take a compliment to himself or to give a compliment to the District Magistrate?—He did not mean either. But he simply stated facts.

35527. Will you read that sentence? The opinion therein contained amounts to saying that the decisions of the distinguished Provincial Civil Service officer were always right?—What he meant to say was that the District Magistrate did not issue improper orders, or did not transfer cases from his court, or did not issue instructions which were objected to.

35528. Will you kindly look at the wording of your sentence. “He could not recall a single instance in which a District Magistrate interfered with his judgment and discretion in the disposal of criminal work”?—I meant while the cases were pending in his court and not appeals.

35529. You are aware that a District Magistrate has the authority to call for records and to transfer a case from one court to another, but certainly not in pending cases?—Certainly in pending cases.

35530. In pending cases?—Yes. The Procedure Code provides for it. That is a procedure constantly adopted.

35531. This is information to me. I should like to know whether there are cases in which the records of the pending cases are called for by the District Magistrates frequently?—More or less so.

35532. I did not know that and I am glad to learn this; that while the cases are pending and the Magistrate is trying accused persons, the District Magistrate sends for the records of the case before it is ended?—Yes, certainly. That is provided in the Procedure Code, and it serves a very useful purpose.

35533. Then that cry of a section of the community is perfectly justified?

35534. (Chairman.) We are not here to give opinions but to elicit them.

35535. (Witness.) I must amplify my answer. Suppose the District Magistrate goes to the jail and finds that there is an under-trial prisoner who has been there for six or seven weeks. He naturally wants to find out why the man has been there so long. Again, when petitions are sent, he sends for the records of cases to find out what causes there were for adjournments. This is a thing that is provided for in the Procedure Code; and it leads to justice rather than injustice. There are many other instances in which that is done.

35536. (Mr. Chaul.) I want to know whether it is frequent that the District Magistrate does send for pending cases?—It varies according to circumstances.

35537. You say in your answer, “I am doubtful as to whether the insistent demand for the separation of Executive and Judicial functions on the part of the educated classes, who form a microscopic minority of the population, would be endorsed by the masses in the event of a plebiscite being taken.” I suppose you agree with me and others in thinking that this is not a question which concerns anybody except the members of the public who have the misfortune?—Do you not include the masses in that important section of the public?

35538. That a person should be tried by an officer of the B class instead of an officer of the A class is not a question with which the masses

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the law-abiding people, are likely to be concerned?—I beg to differ from that view. They might be the people who might be the victims of injustice, according to the stock argument against the present system. They are the people who must be consulted.

35539. The question as to which class of officers ought to try criminal cases ordinarily is not one in which the masses of the public, particularly the Indian masses, are likely to be concerned or to take any interest?—If they were conscious that there was any rampant injustice, they would complain.

35540. You understand by the Indian masses, those who are directly touched by the cases, such as an individual prisoner or the community to which he belongs. But the great masses are not in any way concerned with the class of officer who tries the cases?—Certainly they are, because it is they that form the subject of criminal investigation. They are the persons affected by the present system being good or bad. There may be others; but, generally speaking, the masses form the subject of criminal investigation and they ought to know whether the present system is good or bad. My answer is that I am not aware of any such demand on their part.

35541. I put to you a concrete question. Do you mean to tell me seriously that when two classes of officers are placed before the masses, the District and Sessions Judge and the District Magistrate, then the masses would all rush to the District Magistrate to be tried by him?—I did not say so. What I say is that they are satisfied with the present arrangement. There is no demand on their part for any change in the system.

35542. I want to know what basis you have to go upon when you speak so definitely about the masses?—I have come in contact with them. I have put in 18 years' service; and I ought to know the people. I ought to know the masses. I spend nearly three months every year on tour and if I do not see the people what am I here for?

35543. Supposing for a moment that the preventive powers under Chapter A were reserved for Executive officers, would there be any obstacle or objection to the differentiation of the functions: if the preventive powers under the Criminal Procedure Code were left untouched, would there be any serious objection to the differentiation of the functions?—There would be objection on the score of expense. I think we will have to increase the *personnel*.

35544. The item of expense and anything else?—At present I cannot think of any other serious objection.

35545. As regards the item of expense, are you aware that the State makes a very large profit from court fees?—Yes.

35546. Would there be any objection to meet the additional expense from that profit?—I would not advocate any change unless I am satisfied that it was needed in the public interests.

35547. So far as the expense goes, there would be no objection to utilise that fund for that expenditure if that was considered necessary?—No, only if it was considered necessary.

35548. You say under question (13) "a system which is susceptible of producing civilian judges of

the calibre of the late Sir Raymond West should not be condemned * * *

During the last 60 years have you heard more than two names from the place you referred to—Bombay—beyond Sir Maxwell Melville and Sir Raymond West?—I do not know Bombay.

35549. You named Bombay and so I asked you?—The name of Sir Raymond West occurred to me as that of the most distinguished civilian judge.

35550. In Bombay during the last 60 years do you know any other two names beyond Sir Maxwell Melville and Sir Raymond West as those of successful civilian judges?—I know nothing of Bombay except Sir Raymond West.

35551. (*Sir Murray Hammick*.) As to the District Magistrate calling for records in pending cases, you have mentioned one case in which a District Magistrate does it, that is, when he goes to the jail and finds a prisoner having been long under trial, he would naturally send for records in that case. Again, it is not unusual for a District Magistrate to receive petitions alleging irregularities in the conduct of cases, in which case he would send for the records to see if there had been any irregularities?—Yes.

35552. Sometimes petitions are put in for transfers, in which case the District Magistrate cannot say whether cases should be transferred or not until he has read the records?—Yes.

35553. In all these cases during the pendency of the cases the records are sent for by the District Magistrates and perused by him under the powers given to him by the Criminal Procedure Code?—Yes.

35554. Then I would also ask you one question with reference to what you mean by saying that you would like to take the opinion of the masses. What you mean is that the efficiency of the Criminal Courts in a district is of immense importance to the inhabitants of the district?—Yes.

35555. It is not whether they desire to be tried by this person or by that person, but it is a question whether, in making a change, you will not impair the efficiency of the Courts. I suppose that is what you mean when you talked about the masses?—Yes.

35556. A third question that I would ask you is with reference to court fees. The position is very often taken that there is a very large surplus, but has it not been shown that when you take that large surplus in the court fees account, you take no account of the amount of money that is spent on buildings for judicial purposes apart from the amount which is spent on pensions of judicial officers?—No.

35557. If you take these two into account, it is exceedingly likely that the surplus which is alleged to exist in court fees fund will disappear?—That is so.

35558. (*Mr. Standen*.) Is it possible to get a knowledge of the Revenue system of the Central Provinces, the Land Records system, without going into camp?—Not perfectly.

35559. Do you consider that a full knowledge of the working of the system is necessary for the efficiency of a judge?—I certainly think so.

35560. Then as regards the separation of the Judicial and Executive functions, do you think,

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supposing you had a magistrate in the district who was in the habit of giving decisions wrongly, his position would be made untenable by public opinion?—It would be.

35561. That is to say, people of the division would find it out and notice it. Would not anybody venture to complain against it?—The matter is bound to be brought to the notice of the higher authorities.

35562. Somebody would complain and bring to notice?—Yes.

35563. You were for many years in England?—Yes.

35564. For how many years?—For 7 years.

35565. You went to England when you were 17?—Yes. I came back when I was 24.

35566. Did your views on public questions undergo any change in England?—I took very little interest in public affairs before I went to England.

35567. You did not form any opinion about public affairs in India before you went to England?—No. I was taking some interest in public affairs, but not keenly.

35568. You are still going to England when you are on leave?—I have been there for three years. Altogether I have been ten years in Europe.

35569. You know Englishmen both in India and in England?—Yes.

35570. You mentioned in answer to question (1) "it is conceivable that a recruit may deteriorate morally after his arrival in India owing to sudden contact with alien social and moral conditions at an impressionable period of life." That is just at a time when he is finally emancipated from all control, tutorial or guardian control, and comes into contact with new conditions and new climate and so on, which may have a bad effect on his character?—Yes.

35571. I would ask you whether, in addition to these undesirable influences, there are not others in India which will not be available in England and which will have exactly the opposite effect. I am referring to the possibilities in India of even a poor man indulging in sports and pastimes which tone the nerves and strengthen the body. Do you think that it is any way appreciable or not?—I was thinking of men posted to Sub-divisions away from head-quarters where men would probably spend six months or more on end, without coming into contact with other Europeans. We have not got here the system we had at Berhampur. In Bengal, it is the custom for sub-divisional officers to be away for months from the wholesome influence of contact with other Europeans.

35572. You think there are distinct influences on the other side to keep men from deterioration?—Yes, except in exceptional cases.

35573. (Mr. Thakur.) About your merging the listed posts, are these merged posts in any way different from the unmerged posts of the ordinary Provincial Service?—We have got a list here, but I have not studied the question very well.

35574. After they become merged are they in any way distinguishable from posts ordinarily

held by the members of the Provincial Service?—No. Most of those are filled by the members of the Provincial Service.

35575. Is there any difference between the merged posts and the ordinary posts?—No. The difference is lost sight of.

35576. Do they bring in any extra amount of dignity to the holders of these posts beyond the fact that those who hold those posts occupy the grade of the posts merged?—There is no distinction between the posts which were separate before and which are merged now, and other posts.

35577. Therefore does it not follow that if the listed posts are to be given it would only be superior posts from the Civil Service cadre?—Yes it should be superior posts.

35578. There is no use listing inferior posts?—No. I mean superior posts.

35579. You have said that in Bengal there is the highest grade of Rs. 1,000. Will you kindly let us know what the grades are between Rs. 500 and Rs. 1,000?—I cannot tell you. It is given in the schedule. I have not studied it carefully. You will find that they are given there as an appendix to the questions. I cannot put my finger on it at once. It will take some time to find it out.

35580. Between the grades of Rs. 500 and Rs. 1,000 would it not be well to have grades on Rs. 650 and Rs. 800, the grading which has been adopted lately by the Government of the United Provinces?—I think our present system is all right except that I would add a grade of Rs. 1,000.

35581. From Rs. 800 to Rs. 1,000?—Yes; that would be given only to fit men.

35582. You will retain all grades?—Yes. I would retain all grades except that I would add a grade on Rs. 1,000.

35583. Would it not be better that people up to Rs. 500 should get promotion by increments of Rs. 100 and people above that salary should get promotion by an increment of Rs. 150, which will be secured by having two grades of Rs. 650 and Rs. 800 between Rs. 500 and Rs. 1,000?—I am afraid I cannot give an opinion on that question. It seems to me invidious that there should be a grade of Rs. 1,000 in Bengal but not here.

35584. In your answer to the last question you think that it should be a pension of Rs. 600 per mensem?—Yes.

35585. (Mr. Fisher.) Are you aware that before an English boy at an English public school applies for a scholarship for a University he has to obtain the permission of the schoolmaster?—I think there is such a rule.

35586. No school boy would be sent up for a scholarship unless he has a reasonable likelihood of succeeding?—No.

35587. So that, in England, at any rate, there is a very strong practical check upon the number of competitors who may go up for University scholarships?—Yes.

35588. Are you aware that the list of subjects for the Indian Civil Service Examination and the scale of marks are settled by the Civil Service Commissioners in conference with the representa-

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tives of not merely Oxford but also of the other British Universities?—I am not aware.

35589 So that, if Oxford men do happen sometimes to succeed in these examinations, the

result may perhaps be due to the state of their attainments?—Yes.

(The witness withdrew.)

RAGHUNATH SADASHO THAKUR, Esq., Extra Assistant Commissioner.

Written answers relating to the Provincial Civil Service.

35590 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—These conditions are suitable.

35591 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are suitable except that I would like 'B.A. or B.Sc.' to be substituted by 'B.L. or LL.B.' and add the following after Eurasian in rule 3 (1) "a member of a distinguished noble Indian family."

35592 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The strength of the Executive branch on the 1st of January 1903 was 98 as per details given in Appendix B. A post of oriental translator was, however, subsequently added to the 5th grade on Rs. 400 (Government of India D confidential letter No. 31, dated the 7th January 1909). There are thus 99 posts on the Executive side.

35593 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—It seems necessary to give a short history of the service. The Provincial Civil Service for the Central Provinces was constituted under this name at the beginning of the year 1893 (Central Provinces Gazette Notification No. 1312 of 22nd February 1893) as the result of the report of the Public Service Commission of 1886-87, though the staff of Extra Assistant Commissioners existed since the year 1864, when there were 2 members on it in the 2nd and 4th grades; of these one was appointed an Assistant Commissioner in 1869. They were recruited from the ministerial line; which alone supplied Extra Assistant Commissioners till the year 1892 when a grade of Rs. 600 was formed and added to then existing 4 grades, and when the revised strength of the staff stood at 33 divided in several grades as follows:—

	Rs.	
1st grade of 600	.	2 posts.
2nd do. 500	.	6 do.
3rd do. 400	.	11 do.
4th do. 300	.	8 do.
5th do. 250	.	6 do.
TOTAL	...	33

During the period from 1882 to 1890 four more

posts were added to those in the 1st, 2nd, 3rd and 5th grades, thus making a total of 37. The recruitment during this period was by direct appointment in 4 cases (the candidates being a Muhammadan gentleman, 2 qualified pleaders from respectable Hindu families, one of them being an M.A., LL.B., and a European gentleman) and by drafting 4 members of proved merit and ability from the Jail, Police, Education and Registration Departments and about four times as many from the ministerial line, i.e., from clerks of court, Deputy Registrar, Superintendents and the like who were English-knowing people. During the year 1891 seven new posts were added to the cadre, as it was found necessary to appoint Civil Judges to give relief to Deputy Commissioners who were overburdened with civil work and the cadre of Extra Assistant Commissioners was not sufficiently large to meet the demands of all districts. The following list shows the number of appointments in the various grades and was published under *Central Provinces Gazette Notification No. 8414 of 10th December 1891*:—

	Rs.	
5th grade of 600	.	4 appointments.
4th do. 500	.	11 do.
3rd do. 400	.	12 do.
2nd do. 300	.	8 do.
1st do. 250	.	9 do.
TOTAL	...	44

Trained Munsifs were sent for from United Provinces and Punjab and appointed Extra Assistant Commissioners to do the Civil work, and it was found necessary to make provision for an adequate reserve of officers to fill up vacancies caused by leave or sickness of Extra Assistant Commissioners and Civil Judges, and with the sanction of the Government of India temporary appointments of Extra Assistant Commissioners in excess of the total number of 44 were made so long as the full number of Assistant Commissioners doing district work did not amount to 18. Attention was also paid to the best means of improving the *personnel* of the staff by guarding against the appointment as Extra Assistant Commissioners of persons insufficiently qualified by education and previous training for duties which they had to discharge. The practice of promoting ministerial officers to the Executive and Judicial charges was discontinued and a standard of educational qualification to govern the selection of recruits laid down. During 1891 three Munsifs from the United Provinces and Punjab were imported to do the Civil Judges' work. One officer was taken up from the Education Department, two officers of special merit were recruited from the ministerial line, two officers from the Tahsildars' line and two directly. During 1892, three European gentlemen were directly appointed and four Munsifs imported from the United Provinces and Punjab. The scheme for the Provincial Civil Service was published in the *Central Provinces Gazette* of 22nd February

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1893, and special qualifications for admission to the provincial service were prescribed. It provided for the transfer to this service of—

- (a) 1 Deputy Commissionership.
- (b) 3 Small Cause Court Judgeships.
- (c) 1 post of Registrar, Judicial Commissioner's Court.
- (d) 1 post of Assistant to the Commissioner of Settlement; and
- (e) 2 Assistant Commissionerships.

The condition about (a) and (b) was that the rate of pay of those appointments when held by members of the Provincial Service would be as follows—liable to alteration should the interest of the public service require it:—

	Rs.
1 Deputy Commissionership	1,800 if in the 1st grade.
1 Deputy Commissionership	1,200 if in the 2nd grade.
1 Deputy Commissionership	1,000 if in the 3rd grade.
1 Small Cause Court Judgeship on	800
1 Small Cause Court Judgeship on	700

The remaining posts (c), (d) and (e) were converted into Extra Assistant Commissionerships as follows:—

	Rs.	
1 post of Extra Assistant Commissioner, 2nd grade, on	600	(corresponding to Assistant Commissioner, 1st class).
1 post of Extra Assistant Commissioner, 3rd grade, on	500	(corresponding to Assistant Commissioner, 2nd class).
1 post of Extra Assistant Commissioner, 4th grade, on	400	(corresponding to Assistant Commissioner, 3rd class).
1 post of Extra Assistant Commissioner, 5th grade, on	300	(corresponding to Assistant Commissioner, 4th class).

The grading under the new scheme was then as follows for the Extra Assistant Commissioners:—

Grade.	Pay.	No. of posts.
1st	700	1
2nd	600	6
3rd	500	12
4th	400	13
5th	300	9
6th	250	7

TOTAL ... 48

The same cadre continued till the end of the year 1902. Many officiating and temporary Extra Assistant Commissioners were appointed above the sanctioned staff for the requirements of the districts and in leave vacancies. The cadre was therefore reorganised and a self-contained service constituted and brought into effect from 1st March 1903, the total strength being 101—52 Executive and 49 Judicial (*Central Provinces Gazette Notification 1674 of 27th February 1903*).

The details of these 101 appointments are:—

For District work	74
For Settlement work	4
For Special duty	3
For Foreign service	4
Small Cause Court Judges	2
Second Assistant to the Commissioner of Settlements and Agriculture	1

TOTAL ... 88

And leave reserve at 14 per cent. of 88 plus 8 = 13

TOTAL ... 101

Grade.	Pay.	No. of posts.
1st	800	2
2nd	700	2
3rd	600	6
4th	500	14
5th	400	24
6th	300	26
7th	250	14
8th	200	13
TOTAL ...		101

From 1st October 1903 Berar was amalgamated with the Central Provinces (Foreign Department Notification No. 4446-I.B., dated Simla, the 11th September 1903), and the cadre of Berar Provincial service before amalgamation was as follows:—

	Rs.	
1st class at 600		2 posts.
2nd do. 500		2 do.
3rd do. 400		6 do.
4th do. 300		4 do.
5th do. 250		6 do.
TOTAL ...		20

The Provincial Service of Berar was amalgamated with the Central Provinces Provincial Service with effect from 1st September 1905, and the joint provincial list, was of 129 Extra Assistant Commissioners (101 for Central Provinces, 4 additional posts sanctioned for Berar and 4 excise posts) divided into 2 lists—Executive and Judicial—which stood as follows on that date: *vide Central Provinces Gazette Notification Nos. 10207-10208 of 1st September 1905*:—

Executive list, 68 Officers.

	Rs.	
1st grade of 800		2 posts.
2nd do. 700		1 post.
3rd do. 600		4 posts.
4th do. 500		9 do.
5th do. 400		16 do.
6th do. 300		16 do.
7th do. 250		11 do.
8th do. 200		10 do.
TOTAL ...		68

Judicial list, 61 Officers.

	Rs.	
1st grade of 800		1 post.
2nd do. 700		2 posts.
3rd do. 600		4 do.
4th do. 500		8 do.
5th do. 400		13 do.
6th do. 300		16 do.
7th do. 250		10 do.
8th do. 200		8 do.
TOTAL ...		61

The two lists are separately maintained and promotions made separately from the date of separation. From 1905 to 1907 some further revision and additions to the cadre of Executive Extra Assistant Commissioners were made, and in

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1907 the strength on Executive list was 79, details being:—

				Rs.
2	posts in the 1st grade of	.	.	800
1	post do.	2nd do.	.	700
4	posts do.	3rd do.	.	600
10	do.	4th do.	.	500
16	do.	5th do.	.	400
18	do.	6th do.	.	300
14	do.	7th do.	.	250
15	do.	8th do.	.	200
TOTAL . 79				

This cadre was reorganised again from the beginning of the year 1908 and 19 posts were added—2 in the 2nd grade, 2 in 3rd, 4 in 4th, 8 in 5th, and 6 in 7th, and the number of posts in the last grade was reduced by 3—the net result being 98. The answer to question (3) above explains the increase of one post in the grade. The attached statement shows the number of officers recruited year by year since the formation of the scheme. It excludes such officers as were taken up temporarily or to fill up officiating appointments. It will be seen from this statement that the recruitment was generally according to the scheme, and that in very exceptional cases only were the officers recruited from the ministerial line up to 1905.

Statement showing the number of officers recruited into the Provincial Civil Service year by year from the year 1893.

Year.	[INDIRECT APPOINTMENTS.]													Total.
	Imported from other Provinces	Direct appointments.	From Tahsildars.	From Forest Department.	From Police Department.	From Public Works Department.	From Education Department.	From Accounts Department.	From Medical Service.	From Munifics.	From Settlement or Agricultural Department.	From Excise Department.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
1893	9	5	2	..	..	..	..	..	1	..	..	..	12	
1894	
1895	
1896	
1897	
1898	
1899	
1900	
1901	..	13	..	..	..	..	..	..	..	..	..	..	..
1902	
1903	
1904	
1905	
1906	
1907	
1908	
1909	
1910	
1911	
1912	
Total	4	44	66	1	3	1	3	3	9	16	10	4	183	

35594 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—There have in all been four such subjects recruited up to date in the Provincial Service—one in the year 1890 and three in 1892.

35595 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend?

For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—The system of direct recruitment has proved satisfactory. Of the 44 members who were directly recruited 30 were taken up on the Judicial side at the separation thereof from the executive in the year 1905. Almost all the members on the judicial list are graduates of Arts and Law. This service as a whole has improved very much. The remaining 14 members on the Executive side have done very well notwithstanding the difficulties they had to encounter on their way. They came into the field without any previous experience or training, and were put to the work straight, and as they were every way qualified they picked up their work soon besides passing their Departmental examinations in Procedure, Law and Languages. I think that 33 per cent. of the vacancies in the Provincial Executive Service should be filled up by direct recruitment, the conditions about educational qualifications being that the candidates must have obtained a degree in Law. A beginning in the right direction has already been made by the appointment of a Barrister-at-Law and 2 B.L.'s direct to the service. The remaining, i.e., 66 per cent., vacancies should be filled up by only selected and academically qualified officers from the Tahsildars' line. Experience has shown that the method of recruiting from this line is more satisfactory than any other. Officers selected from other subordinate services do not make as good Extra Assistant Commissioners as the selected Tahsildars do, and the simple reason is that the former are not in the line and have not, therefore, the same opportunities of knowing various things and dealing with matters of varied kinds as the latter have. In doing their ordinary work the Tahsildars, if they observe carefully what their superior officers do or have to do, gather much knowledge which stands them in good stead when they are called upon to fill more responsible posts. Some of them grasp the situation quickly and by the use of their strong commonsense steer their way through without wavering in doubt; these are able to dispose of their work promptly. They know how to deal with people under particular circumstances, and they can realise the difficulties of the public and devise or suggest suitable remedies. In short, opportunities offer themselves to them for the exercise of their tact, intelligence, prudence, and controlling power, and they get into the habit of thinking and doing things properly. If they have the advantage of possessing University qualifications they cannot fail to attract the attention of their officers. For direct appointment, I recommend nomination by the Divisional Commissioners. There should be separate lists of nominated candidates maintained in the offices of the Divisional Commissioners and their copies in the Secretariat. The Local Government should have a free hand in making suitable selections therefrom, and it will give due consideration to the claims of each Division. Competition is a thing unknown in the history of service here, and there seems to be no occasion for it if my scheme of recruiting law graduates only is accepted. These candidates will not sit idle, but commence their practice at the Bar and mind their business even

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after securing their nomination, and gain so much experience in their profession. The knowledge of law is as essential to an Executive officer as it is to a Judicial officer; it is why he is required to pass the Departmental examinations. With this knowledge and experience the nominated candidates will be better equipped still for their appointments. Should any of them, however, fail to secure the appointment, they will not be worse off for that. There will, therefore, be no occasion for any heart-burning or grounds for suspicion of motives of Government when it tries to hold the balance even. I personally think that time is coming when some of the nominated candidates will refuse to accept the Extra Assistant Commissionerships if they see that they can earn as much as or more than the pay of an Extra Assistant Commissioner of the last grade in the beginning. Instances are not wanting of officers who got the Extra Assistant Commissionerships straight and gave them up with the hope of bettering their prospects outside. Their expectations have been fully realised, and they are much better off now than they would have been had they continued in the Provincial Service.

35596 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Three officers only were imported from other provinces 7 years back, but none after that. I consider it essential that the residents of the Provinces only should ordinarily be recruited. There was a time when educated people were scarce in the province, and when therefore it was necessary to get such men from other provinces. The conditions during the last 20 years have so much changed that there are now more qualified persons available than there are posts to be filled up—this being so, local claims deserve preferential consideration and should be first satisfied.

35597 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Out of 99 officers in the service 35 represent all classes of Brahmans, 28 Muhammadans, 11 Eurasians, 9 Kayasths, 4 Parsees, 3 Europeans, 2 Kalars, 2 Parblus and the remaining 5 Jew, Native Christian, Kshatri, Sonar and Tailor classes. Judging from the literate and English-knowing male population of the various classes of the census of 1901 the representation seems unequal or disproportionate. I am of opinion that people of the province do not generally care much for representation of classes or communities. All that they want is fair play. I am not in favour of subordinating efficiency to representation. Let an officer be a Hindu, a Muhammadan or a Parsi, people are satisfied with him so long as he meets out fair treatment and justice and does not work or act with a biased mind or interested motive. An impartial officer gets all the respect due to him and is liked by all the fair-minded people. But if the due representation of classes and communities can be made compatible with efficiency, it would be better still and quite in keeping with the spirit of the rules and aspirations of certain classes of people.

35598 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory and, if not, what alterations do you recommend?—Every officer appointed to the Provincial Civil Service, whether by direct recruitment or otherwise, has to be on probation for the first two years of his service unless the Chief Commissioner in any special case declares such probation unnecessary. He has also to pass the prescribed departmental examinations during the period of probation. On his appointment he is placed in subordinate charge of the district treasury under the supervision of the Treasury Officer and invested with third class criminal powers. He has to make acquaintance with the various details of his work and the office routine, and to pick up rules and laws without much help or assistance. He finds himself embarrassed and is perhaps shy to ask anything from his brother officers. He treads his path unaided, but his general culture leads him a long way, and he begins to do his usual work with confidence after a few days. His anxiety to pass the Departmental examinations comes, to a great extent, in the way of his profiting much during the period of probation—it acts like a night-mare and retards his progress in work. A year's probation should be quite enough for an officer to make himself acquainted with his work, provided these examinations have not to be passed. If graduates of law of the Allahabad University are appointed probationers, the necessity of passing the departmental examination in Civil, Criminal and Revenue law and procedure would be obviated—they will have then to pass in Treasury, Survey, and Language, and they should not have much difficulty in passing these. I would not, however, have the period of probation reduced, but I would suggest that a probationer should, during the first year of his appointment, be kept attached to some senior assistant in the district who should always guide him in the proper path and be made responsible for his training. He should be taken out in camp by such Assistant or the Deputy Commissioner and told what one should do in camp. The success of training will depend greatly on the amount of interest which the Deputy Commissioner may take in a probationer. At present he is put to the work and learns his work, passes his examinations and secures confirmation.

35599 (10). Is the existing system of Departmental examinations suitable and, if not, what changes do you recommend?—The existing system of Departmental examination is suitable.

35600 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I think that it would be better to remove the 10 appointments for the district excise work, the appointment of Personal Assistant to the Excise Commissioner, the appointment of Assistant Director of Agriculture, and the 8 appointments of Assistant Settlement officers from the Provincial Civil Service and to include them in the Provincial Service of the Departments concerned. There is the Provincial Agricultural Service already in existence. I understand that the Provincial Excise scheme is

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in the course of formation, and it may be possible to have a separate Provincial Settlement Service on the analogy of the Agricultural service.

35601 (12). What is the system on which the strength of the ^{Executive} Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory and, if not, what alterations do you recommend?—The Provincial Civil Service is self-contained, and the scale has been fixed at 99 as detailed below:—

(1) For ordinary district work	60
(2) For foreign service	3
(3) For Assistant Settlement Officer . . .	8
(4) For Assistant Director of Agriculture .	1
(5) Personal Assistant to Excise Commissioner.	1
(6) Excise work in District	10
(7) Special duty	3
(8) Oriental Translator	1
TOTAL ...	87

Add leave reserve at 14 per cent. calculated on the above 87 appointments and on 1 or 2 Deputy Commissionerships listed as open to the Provincial Service	12
TOTAL ...	99

I have in answer to question (11) above already proposed the removal of the Excise Agriculture and Settlement appointments from the Provincial Service, and I would propose the recasting of the scale in view of the increased demand of assistants in certain districts where the existing staff is insufficient to cope with the heavy work and is therefore already overworked. The self-contained scheme has the drawback of keeping back some officers from enjoying the benefits of temporary promotions due to officiating vacancies, and this difference from other schemes strikes one prominently when he every day sees temporary promotions in other services gazetted. The time-scale in the lower grades and the scheme by which temporary promotions in the higher grades would be secured will meet the requirements and give satisfaction.

35602 (14). Is there any reserve for officers under training and is it adequate?—There is no such reserve provided for in the scale, but the Chief Commissioner has power to appoint, when necessary, probationers, provided their number at one time does not exceed seven.

35603 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—I am not aware if the system of selection for appointment to the higher grades has been enforced. I think that it should be strictly enforced now that the competition is keen. It will afford a good stimulus for better work and make the service more attractive and interesting to the younger generation.

35604 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any

suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—If more appointments are added in the higher grades and the number of them in the lower grades reduced, if the system of selection for appointments to the higher grades is enforced, and if the officers who have finished their term of service are not, except in very exceptional cases, given any extension, the interests of individual officers and of the Administration will be duly reconciled. At present there are too many posts in the 5th and 8th grades and an officer entering them feels the stagnation for some years: their reduction and the introduction of the time-scale scheme in the lower grades should remedy the disadvantages. Any extension given to an officer who has finished his term means a loss to many others which can be avoided by compulsorily retiring him. If the above advantages are secured, the flow of promotion will generally be even.

35605 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—The officers of Judicial Service do Civil work only, and those of the Executive, the Revenue, Criminal, Treasury, Registration, District Council, Municipal, and other miscellaneous work. The Civil officers have no tour to do, the Executive officers have to go out in camp for a certain number of days during the year. The functions of the Civil officers are thus distinct from those of the Executive officers; the former have to be mostly at their desks and thus to lead a sedentary and monotonous life; the latter break the monotony by combining tour and other outdoor duties with their work at the desk and have to be of active habits. A civil officer has no occasion to do any criminal work at all, and it is an anomaly that he should get into the Sessions or Additional Sessions Judgeship where he has to hear appeals against the judgments of first class Sub-divisional and District Magistrates of many years' standing. An Executive officer begins as a third-class Magistrate and goes up to the Sub-divisional Magistrate trying cases of different nature and gaining experience of various phases of human life and conduct. In the interest of justice competent Sub-divisional Magistrates only should, in my humble opinion, be selected to fill the posts of Additional Sessions Judges and Sessions Judges, and none from the civil line if he had not sufficient previous training and experience in criminal work.

35606 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I am satisfied with the arrangement by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, but the treatment of the statutory civilians as provincial service men for the purposes of listed posts seems to have been prejudicial to the interests of the senior members of the Provincial Service. I think,

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moreover, that the Judicial Service has taken up more listed posts than the Executive. As a matter of fact no member of the Provincial Service (Executive) held or holds permanently any listed post, because the only statutory civilian is holding the charge of the district and there is no provision for a provincial man to hold charge of a second district in the Central Provinces. But on many occasions the Administration appointed Extra Assistant Commissioners to officiate as Deputy Commissioners in temporary vacancies. Members from the Provincial line were also appointed to act as Registrar, Judicial Commissioner's Court, Assistant to the Commissioner of Settlement and Agriculture, Assistant Director of Agriculture and Assistant Secretary. Three posts have been allotted to officers of the Provincial Judicial line, the prospects whereof are likely to improve further shortly. If 3 superior listed posts in the Central Provinces, including the post of the Inspector General of Registration which, it appears, is shortly to be created, and 2 in Berar, are listed, they ought to give general satisfaction. At present a statutory civilian and 2 uncovenanted officers hold charge of 3 districts, and an uncovenanted officer of the Berar Commission is at the head of the Excise Department of the Central Provinces and Berar. These 5 listed posts should be filled up by selected officers of proved merit and ability from the Provincial line and from such officers as hold the inferior listed posts of which I shall say more in answering the following question. None but graduates should be selected to fill these posts, and the selection should be made when the officers may be comparatively young and have sufficient energy for work.

35607 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am not satisfied with the system by which the inferior listed posts have been merged into the Provincial Civil Service and would suggest that three posts for the Central Provinces and two for Berar may be listed as open to such members of the Provincial Service whom the Local Government may, with due regard to their high status in society, exceptional merit, literary attainment, etc., deem fit to appoint. The officers holding these posts should have all the benefits and privileges of the class to which they belong. They should get the full pay of their appointments and all-round training like other Civilian assistants. They will have opportunities of moving in higher circles and of picking up by observation a great many things of which those not having such opportunities betray hopeless ignorance. They will, in short, have an occasion to strengthen the social ties, understand their superiors and equals better, and to imbibe from them the ideas and principles of good administration. It is for these special advantages that I would have the inferior listed posts thrown open.

35608 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—I am satisfied with the present designation "the Provincial Service."

35609 (22). Do you accept as suitable the principle recommended by the Public Service

Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do not accept as suitable the principle that the conditions of the Provincial Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officer appointed. The tradition of the service, the high estimation in which it has been and is held, the expenses which the members thereof are required to incur to keep up the prestige and position, the kind of work which the members of it do, are important factors which should entitle the Service to special treatment as regards pay. Extra Assistant Commissioners do the same kind of work as the Assistant Commissioners do and, rise up to, the District charges; they ought, therefore, to get more decent pay and have better prospects than people in any other Provincial Service.

35610 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The rates of pay and the number of posts in each of the main grades of the Provincial Civil Service on the 1st of April of three years were as follows:—

Grade.	Pay.	On 1st April 1890.	On 1st April 1900.	On 1st April 1912.
	Rs.			
1st	800	...	...	2
2nd	700	...	1	3
3rd	600	3	6	6
4th	500	7	12	14
5th	400	12	13	24
6th	300	8	12	21
7th	250	7	7	14
8th	200	...	...	12
TOTAL ...	...	37	51	99

The last general reorganisation was effected in 1908 when 19 posts were added to the then existing cadre. Almost all the members of the Service were benefited as the number of appointments in the higher grades were increased.

35611 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Looking to the importance and the high estimation in which the Provincial Service, next of course to the Indian Services, is held, and considering the fact that various Provincial Services have come into existence, it seems high time that the pay and prospects of the Service should be improved if it has to continue to be attractive to officers of the desired qualifications. The prices of food grain and other articles have risen enormously during the last few years, the pays

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of servants and syces doubled, the comforts of life improved and the style and fashion of living changed to a great extent with the spread of civilisation. The pay of the last grade is wholly inadequate, being Rs. 200 only, and the promotions in the grades are slow and the result is that many have to retire from the grade of Rs. 400 or Rs. 500 to which they with difficulty reach. As pay increases the expenses proportionately go up and the responsibilities of the family multiply towards the latter part of the service. The grades of pay should therefore be so arranged as to secure an even flow of promotion and fair chances for officers to retire from the grade of Rs. 700 at least. I would recommend that the grades of Rs. 250 and Rs. 200 should be abolished and two grades of Rs. 1,000 and Rs. 900 added to the scale. An Extra Assistant Commissioner of the last grade should get as much as a Sub-Judge of the last grade and surely more than the Tahsildar of 1st grade whose pay is Rs. 250 a month. The average pay in the Central Provinces and Berar works out at Rs. 372, which is much less compared with that in Madras, Bombay, Burma, Bengal and Assam, where the averages are respectively 422, 436, 422, 376, and 373. The grade of Rs. 200 is peculiar to the Central Provinces since 1903. The two last grades of Rs. 250 and Rs. 200 are not in existence in the Bombay Presidency and Burma and should not be in the scale at all. Of all the appointments in the Service I would have one-third in the 4 higher grades and two-thirds in the 4 lower grades, i.e., 33 in the former and 66 in the latter in a scale of 99. The distribution may be something like the following:—

		Rs.
2 posts in 1st grade of	.	1,000
4 " 2nd "	.	900
10 " 3rd "	.	800
17 " 4th "	.	700
18 " 5th "	.	600
18 " 6th "	.	500
18 " 7th "	.	400
12 " 8th "	.	300

35612 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied that officiating promotions are not made in the Provincial Civil Service. I would recommend a time-scale for the lower four grades and all reasonable facilities for temporary promotions in the higher grades due to vacancies caused by officers proceeding on deputation or leave.

35613 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—In my opinion the time-scale should be restricted to the four grades of Rs. 300, 400, 500 and 600 only, and the promotions in the higher grades should be ordinarily made.

35614 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—

No. I do not recommend a system by which each main class of appointment would have a separate time-scale.

35615 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—I cannot say much of this, but I believe the time-scale system is working very well in other Indian Services.

35616 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the executive, and judicial branches of the service is different?—I propose a uniform time-scale for all the last four grades. Under this scheme the pay will be progressive. It will rise by five annual increments of Rs. 20 from the minimum to maximum. The grant of annual increment should be made conditional on good work and conduct. The periodical increment should not be granted as a matter of course unless an officer has merited it. It should be withheld for bad work or conduct at the discretion of the Local Government, which will decide in individual cases whether postponing of future increments is or is not necessary. The promotions to superior grades should be made by special selection from the grade of Rs. 500 or above.

35617 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—The arrangement of giving two-thirds pay to officers holding listed appointments was all right till some years back, but the conditions have so much changed during the last 12 years that a relaxation of the rule seems necessary. I think that the officers holding inferior listed posts should get the full pay of their appointments and that those holding superior listed posts at least three-fourths if not the full pay of these posts. They have to live in very nearly the same style in which the European officers live and to attend to various social calls. The education of children means also a great drain on their purses. There are few people now who do not realise the advantages of the training and education which boys get in English public schools and residential Universities of England. If one could afford to send his sons to be benefited by English education to England he would take the earliest opportunity to do so. It is the natural desire of every educated man to see his children prosper, and it is no wonder if the officers holding listed posts desire that their sons may go to England and return successful so that the position to which they have reached by dint of their intelligence, perseverance and devotion to duty may be maintained if not improved. This object can be gained if they get sufficient pay to enable them to lay by something to meet such demands. It will be conceded that the people holding listed appointments should go abroad to gain experience and knowledge of the world. Education and

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marriages of daughters cost a lot and for an Indian the responsibilities of a joint family are great. For these considerations I think that all listed officers should get the full pay of the appointments they hold.

35618 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—The number of officers who took privilege leave in 1912 was 20 against 5 of 1892, and 10 officers took combined leave in 1912 against 4 in 1902. It has begun to be realised that after hard work the system wants rest to be again fresh for further work, but unless private work necessitates the taking of leave by officers, they do not take it generally. They try to make the privilege leave suffice because they do not suffer any loss in pay. The combined leave is taken by officers only when their health begins to show signs of failure. They thus bear the loss of half pay for three months because they cannot avoid it.

35619 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—The leave on full pay due to them is not ordinarily taken by officers of the Provincial Service because of the fear of extra expenditure they have to incur in going about and of transfers which generally follow. The pay of these officers is so fixed that they are generally only a little above want and can hardly afford to spend enough on pleasure trips or luxuries during holidays without feeling the pinch. On transfers they get only double the class of allowance to which they are entitled and this compares most unfavourably with the actual amount they have to spend. I think that it would be a good arrangement if these officers are allowed to accumulate privilege leave for 5 months instead of 3 months. It will be in the interest of the Government and the officers if these take the accumulated leave on full pay. Combined leave will prove useful to those in time of necessity who may not have enough privilege leave at their credit.

35620 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The furlough due to them is not ordinarily taken by members of the Provincial Service. Recourse to this concession is taken in some cases by the officers at the end of their service preparatory to retirement. Officers should be allowed to take as much furlough as is permissible under the rules.

35621 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates of furlough allowances do not seem to be suitable. To give an officer a chance to renovate his vigor and energy after a period of toil, I beg to suggest that the furlough allowance should be fixed at two-thirds of the average salary for the first period

of 15 months of each period of such leave and at half the average salary during the remaining period of his furlough.

35622 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I have already pointed out the difficulties that are experienced by the operation of privilege leave and furlough allowance rules and suggested the remedies. Here I beg to point out that the rule about leave on medical certificate presses hardly in some cases where the ailment cannot be cured within a period of 3 years allowed by article 336, Civil Service Regulations. I would suggest that this period may be fixed at 5 years. This will be in keeping with the arrangement according to which it is under contemplation to place the long leave Indian service rules on a basis of those of European service. Under this arrangement an officer will be able to earn furlough equal to one-sixth of the active service rendered by him and the total furlough admissible to him would be 5 years; and all kinds of long leave—extraordinary leave without allowance excepted—would come under one designation. The differences between the rules of the two Services will be fairly equalised under the aforesaid arrangement.

35623 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The present system of superannuation pension is satisfactory in the interests of both the Government and the members of the Provincial Civil Service.

35624 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The only suggestion that I have to make is that no extension should ordinarily be given to an officer who has attained the age of 55, because his retention means a great loss to such members as will be benefited by his retirement. This loss can never be recouped unless they also get similar extension which this proposal seeks to discourage.

35625 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pension for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence. They may be granted compassionate allowances not exceeding two-thirds of their pension which would have been admissible if they had retired on medical certificate.

35626 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts. For reasons given

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in answer to question (30), the amount of pension granted to these officers should be at least three-fourths of, if not equal to, the amount of pension made available to members of the Indian Civil Service.

55627 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The rules governing the voluntary and compulsory retirement of the members of the Provincial Civil Service are fairly satisfactory. The rule about compelling an officer to retire should, however, be strictly enforced, except in very exceptional cases.

55628 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—Almost all the members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund and most of them to postal or other insurance funds. No further facilities are required.

55629 (46). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not quite

satisfied with the existing organisation of the Provincial Civil Service. I have already expressed my views and made suggestions in answering questions bearing on the points concerned.

55630 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I have to make two proposals and they are about travelling and daily allowances. I have already pointed out above that the travelling allowances allowed on transfers bear a very small proportion to the actual expenditure incurred by the officer concerned. Every transfer means actual loss to an officer. I beg therefore to suggest that all Extra Assistant Commissioners should get reasonable actual expenses on transfers. An Extra Assistant Commissioner of the grade of Rs. 500 or below in the Central Provinces is treated as a second-class officer for the purposes of calculation of travelling and daily allowances, whereas Assistant Superintendents of Telegraphs, apprentice Assistant Superintendents on a pay of Rs. 100, the Superintendents of Post Offices on Rs. 300 per mensem, Assistant Engineer, Honorary Assistant Engineer and apprentice Assistant Engineer, Extra Assistant Commissioners in charge of the Sub-Divisions in Burma, are treated as first-class officers. I cannot understand where the difference comes in, and I would suggest that all the Extra Assistant Commissioners of the Central Provinces and Berar may be treated as first-class officers.

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55631. (Chairman.) You are an Extra Assistant Commissioner?—Yes.

55632. Will you tell us what your experience has been in the service?—I have been these sixteen years in service. I began as a Deputy Inspector of Schools, then I was appointed as a Tahsildar, and from the Tahsildar line I was made an Extra Assistant Commissioner some years back.

55633. How did you enter the service?—I made an application and I was taken into the Educational line. From the Educational line, I was selected to the Tahsildar line, and from the Tahsildar line I was taken into the Provincial Civil Service.

55634. Had you to wait long for your selection?—I do not think I had to wait long.

55635. Did you get your appointment in the first year you applied?—I got it in the first year.

55636. As regards the Executive Service you would recruit 33 per cent. by means of nomination directly?—Yes.

55637. And the remaining 66 per cent. by promotion from among Tahsildars?—Yes.

55638. And you would let the Commissioner nominate subject to the final approval of the Local Government?—Yes.

55639. Have you ever considered whether it might be more satisfactory to have these candidates nominated by a Board?—Yes; there will be no harm; it would be a good thing.

55640. Why do you propose in your answer to question (11) to remove from the Provincial Civil Service cadre the 20 appointments that you mention?—To have a purely provincial Executive Service consisting of Graduates only.

55641. You propose that they should be removed from the Service—the appointments that you mention?—Yes.

55642. And that these appointments should be placed in the special departments to which they specially relate?—Yes.

55643. If they are a part of the staff of these special departments, how is it that they are in the Provincial Service and not in the departments now?—Because we are getting people from the lowest strata—I mean Revenue Inspectors, who get into Tahsildarships and Extra Assistant Commissionerships. These people are not generally capable of being put into the Provincial Executive Service.

55644. That is not the point I am asking you about. You say that certain appointments should be taken away from Provincial Civil Service and should be placed under the special departments—one in the Agricultural Department and so on?—My main proposal is to take them away from this line.

55645. And to put them into special departments?—Yes; they may be put.

55646. You say in your answer that they ought to be definitely so put. I am not asking you about the origin of these officers, but I am asking

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you why you say that they should be taken away from the Provincial Civil Service and placed into the cadre of the special departments?—I would make them stick to one line; and they should not remain in this line; they should never have been put into the Provincial Civil Service.

35647. Do I gather from that that their work is found to be exclusively attached to particular departments?—Quite so.

35648. How does it then come about that these officers are in the Provincial Civil Service—why are not they in the special departments?—That I could not say.

35649. You do not know why they were put into the Provincial Civil Service and why they were not put into the Provincial Service of those particular departments?—No.

35650. Having taken away those appointments from the Service, would you create 20 other appointments to fill their places?—No; we would not create 20 other appointments. But if there is necessity we may have some more appointments. That is 79 plus a few more, if necessary.

35651. You take these officers out and will merely fill up their places in the Provincial Service as the requirements of the Service suggest themselves?—Yes.

35652. You complain in your answer to question (12) about over-work. Can you tell us a little more about it? In what sense is there over-work?—An officer is ordinarily expected to work from 11 to 5, and if he has to do work for many hours more, he is over-worked. If an officer has to do work for 9 or 10 hours, that is more than 6 hours, I call such an officer over-worked.

35653. If he has to work for 10 hours you call such an officer over-worked?—Yes.

35654. At present do you say that you and your colleagues have to work for that number of hours?—Not in every district. There are certain districts where the work is particularly heavy. In the district where I am placed, I have got too much work. I am myself over-worked.

35655. Is yours a very heavy district?—It is a pretty heavy district.

35656. When you say you have too much work, can you tell us in what way you have too much work? We are anxious to be informed on that point; in what way you have too much work—whether it is spasmodic or normal?—I am the Secretary of the District Council and so I have to look after the District Council work. I am the Vice-President of the Municipality and have to look after the Municipal work; and I am also the Treasury Officer.

35657. Of what Municipality are you the Vice-President?—Of Wardha.

35658. What is its population?—The population is about 13,000.

35659. Will you continue and tell us in what way you are over-worked?—As I stated, I am the Treasury Officer; I am the District Registrar, and I am also the Sub-divisional Magistrate of Wardha: and I do other miscellaneous work also.

35660. You have mentioned several branches of public duties. Which among these do you say is the most onerous? Which is the one that occupies your attention and time most?—The Treasury work.

35661. What is the next?—The next is criminal work—the magistracy.

35662. How many days a week do you do criminal work?—Days are not fixed; we have to take work as it comes.

35663. On an average?—2½ hours every day.

35664. As regards the Municipal work that you speak of, does it entail much work?—Not much work.

35665. What would be your suggestion? You say that this is more than you can satisfactorily discharge. What do you propose to us by way of alleviating and remedying that over-work?—An additional assistant should be given, so that the work will be distributed equally.

35666. What is the area of your district?—I am sorry I could not give that.

35667. What is the population?—I could not say.

35668. You say that you want a time-scale in the lower grades and a system of officiating grade promotion in the higher appointments?—Yes.

35669. What advantages in your opinion has the latter system over the former? Is not the time-scale of promotion much more regular than the grade promotion?—It is very convenient, of course.

35670. Up to what grade do you suggest the time-scale?—Up to Rs. 600.

35671. You do not agree with those who suggest that it should go higher?—No; he may take the ordinary chances; an officer above Rs. 600 may take the graded system.

35672. If it went up to Rs. 600, it would get rid of the main block that at present exists?—I think so.

35673. You say in your answer to question (16) that you are not sure whether there has been selection in the higher grades?—I know of four cases in which officers were only passed over for some defect. I could not say that there has been no selection from one grade into another. A man may have passed over a man above him. That is not, in my opinion, selection proper. In this case, only the man has been passed over by another next below him.

35673A. Has the man who has been passed over had his promotion in the years subsequent?—One of them did not get it; but others got it.

35674. You do not like that form of selection, you say?—That is not real selection.

35675. What do you call real selection?—If a man of one grade is selected to go into the next higher grade or a grade higher than that, then I call it a special selection. If a man is in the tenth place in the list and if he is taken and brought into the last place in the higher grade, that I would call selection. Simply because a man is taken over the head of another I do not think it could be called a selection.

35676. You would like to see that done?—I would.

35677. You say in your answer to question (18) that you would only appoint Sub-Divisional Magistrates as Additional Sessions Judges, and Sessions Judges?—Yes.

35678. Do not Sessions Judges also have to do Civil Judicial work?—No. Sessions Judges have not to do that. In this Province there is the

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combined system. The Divisional and the Sessions Judge is one and the same person.

35679. You mean that the Sessions Judges do not do any Civil work at all?—They do not do it.

35680. Does the Divisional and Sessions Judge do Civil and Criminal work?—Here one officer does both the duties.

35681. What do you call him?—Divisional and Sessions Judge. Divisional Judge is the man who does the Civil work of the Division and as Sessions Judge he does the Criminal part.

35682. You ask for an increase of salaries ranging from Rs. 800 to Rs. 1,000, improved grading and three-fourths of the pay, if not the full pay, for listed posts; and you also ask for better leave conditions, for increased pension facilities and for extra travelling allowance on transfers. Those are the four heads of the proposals which you make for improvement in the Service?—Yes.

35683. You understand that all these would entail considerable cost?—Yes.

35684. Which do you consider to be the most important of these proposals?—They are all important.

35685. I know they are all important; but if you cannot get all, which would you choose?—Improved grading.

35686. (Sir Murray Hamrick.) You took your degree I suppose from the Bombay University?—I took it from the Calcutta University.

35687. And you have been in the service since when?—Since 1896.

35688. And you are now the sixth grade Deputy Collector drawing Rs. 800?—Yes.

35689. How long have you been Deputy Collector—when did you enter the Deputy Collector's grade?—1906.

35690. Were you put in as Deputy Collector at the bottom or where?—At the bottom.

35691. So in seven years you have risen to almost the top of the 6th grade?—Yes, but there was a reorganisation in this interval.

35692. Are you in charge of the Wardha Tahsil?—Yes.

35693. You have under you a Tahsildar?—Yes.

35694. Is he a Magistrate?—Yes.

35695. Of the second class?—Yes.

35696. But he does not commit cases to the sessions?—He does not.

35697. So you have all the committal work to do in that Taluq, as well as your treasury work. You are also Treasury Deputy Collector?—Yes.

35698. And you have got all the criminal work to do?—Yes, and all the summary cases also.

35699. Have you got a Bench?—We have got a Bench.

35700. With third-class powers?—Yes.

35701. What do they do?—Not much. They are Honorary Magistrates.

35702. How often do they sit?—At their sweet pleasure.

35703. They have no regular time for sitting? There are times for sitting, but they do not stick to them.

35704. They do not come in?—No.

35705. How many members are there, composing the Bench?—Four members.

35706. The Tahsildar always sits with them?—The Tahsildar has nothing to do with them.

35707. Then they sit by themselves?—Yes.

35708. How many cases a year do they dispose of—last year for instance?—Might have disposed of 25, 30 or 40 cases.

35709. For a whole year?—Yes.

35710. Not a very efficient Bench then?—Cannot expect anything better from them.

35711. Who are the members—Merchants or Vakils?—Merchants.

35712. No Vakils on it?—No. Vakils will never care to sit on the Bench.

35713. They try petty Municipal cases when they choose to sit?—Yes.

35714. You are the Vice-Chairman of the Municipality and you are Secretary of the District Council?—Yes.

35715. Who is the President of that Council?—Rao Bahadur Khare. He is a Vakil.

35716. He is the non-official President of the District Board?—Yes.

35717. The Board has jurisdiction over the whole of the Wardha District?—Yes.

35718. And practically all the work falls upon you?—The Secretary has to do it.

35719. You say that all this work is too much for you to do?—Yes.

35720. How many Assistant Commissioners are there in the District?—Two others.

35721. One in each of the other two tahsils?—Yes.

35722. Each of the tahsils has got its Tahsildar and Assistant Commissioner?—Yes.

35723. As regards the answer you gave to the Chairman with reference to the Sub-Divisional Magistrates becoming Additional Sessions Judges and Sessions Judges, you have in the Wardha District an Additional Judge?—An Additional Judge. The Divisional Judge is in Nagpur.

35724. He tries all the criminal cases from Wardha district?—All the criminal sessions cases from Wardha.

35725. You have no judge in Wardha? Is there an Additional Sessions Judge?—There is one.

35726. Where does he sit?—He is a District Judge and he does it in addition to his own duties.

35727. He holds his court in Wardha?—Yes.

35728. He tries criminal cases and civil cases?—Yes, both.

35729. He has civil jurisdiction over Wardha district?—Yes.

35730. Then he tries also such cases as the Divisional Judge sends him for trial—criminal cases?—Yes.

35731. In each tahsil you have a munsif?—Yes.

35732. He does exclusively civil work?—Yes.

35733. You have no Sub-Judges?—We have two Sub-Judges.

35734. They do exclusively civil work?—Yes.

35735. So you have five munsifs, two Sub-Judges and one Additional Sessions Judge who is also the District Judge for all the district of Wardha?—Yes.

35736. The District Judge does criminal work sent to him by the Divisional Judge at Nagpur?—Yes.

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55737. You say in answer to question (6) that "time is coming when some of the nominated candidates will refuse to accept the Extra Assistant Commissionerships," and you go on to say "instances are not wanting of officers who got the Extra Assistant Commissionerships straight and gave them up with the hope of bettering their prospects outside." What kind of prospects? Is it to law they go?—Yes, to law.

55738. They prefer to be vakils rather than be Extra Assistant Commissioners?—Yes.

55739. There is no other future before them except to become vakils or to enter the Government Service?—That is all.

55740. You think that the chances of becoming successful vakils are sufficient to prevent certain candidates from coming into Government Service?—Yes.

55741. Then you say in answer to question (8) "I am of opinion that people of the Province do not generally care much for representation of classes or communities. All that they want is fair play." If all that the people want is fair play and they do not want representation of classes or communities, what is the objection to having the Provincial Civil Service recruited by competitive examination? You say that competition is unknown and there is no occasion for it. What would be your objection to competition as a means of entering into the service?—When qualifications are equal, I do not think there is much to be gained by competition. I have suggested that law graduates only should be taken. If all candidates are law graduates, it is better to select the candidates rather than to leave the whole affair to the chances of competitive examination.

55742. You may have competition amongst law graduates. Does not the present system of selection or nomination by the Commissioner lead to many a young man trying to obtain favour with Deputy Commissioners and the Assistant Commissioner in the district, in order to try and get in by nomination; does it not lead to a lot of what we call kow-towing to officers of the district in order to get nomination?—One cannot expect to have absolute good in any scheme. Every scheme must have its drawbacks. Even in competition there may be some kind of jobbery, as there may be in any other system.

55743. What kind of jobbery do you mean?—Examiners may be approached.

55744. Do you think that is likely to happen?—Not likely to happen.

55745. The other is very likely to happen—one going about and getting himself nominated?—That is just as likely as the other.

55746. You do not think that there is any choice of evils between competition and nomination?—Nomination is better in my opinion.

55747. Why do you think it is better?—Because you see clearly with your eyes open what the candidate has—the various qualifications that he possesses.

55748. You do not think of the favouritism that it will naturally give rise to?—There may be a rare case of favouritism; but as I said you cannot expect absolute good in any scheme.

55749. As regards the two grievances that you mentioned, that the officers of the Provincial

Service do not get first-class travelling allowance and also are subjected to expensive moves getting only daily allowance, are these two grievances felt acutely in the Provincial Service?—Yes. Every one complains of them.

55750. There is a great deal of complaint about it?—Yes.

55751. What part of the country do you come from?—I am a resident of Saugor.

55752. (Mr. Macdonald.) With reference to a point about which you were not clear in your answers to the Chairman regarding the District and Sessions Judges having various functions, am I right in explaining it in this way, that these two functions are joined in one man?—They are joined in one man.

55753. As District Judge he does civil work?—That is the system in the Central Provinces. The system in Berar is different. There are District and Sessions Judges there; but here, there are Divisional and Sessions Judges.

55754. As Divisional Judge he does one kind of work and as Sessions Judge he has got another kind of work to do?—Yes.

55755. The confusion only arises because there are these two different functions, civil and criminal, centred in one man, who sometimes act as one and at other times as the other?—That does not cause any difficulty.

55756. I do not say that causes difficulty. That represents sometimes to my mind a difficulty of explanation, that is the one having two functions. With reference to your answers to questions on the Provincial Service you say that one of the rules regarding employment in the Provincial Civil Service is Europeans and Eurasians may have different qualifications from those of the Hindus. Can you explain to me why that difference exists?—My proposal is to remove that difference.

55757. Do you know why that exists?—I could not say that.

55758. Do you agree with the difference?—No, I do not agree.

55759. Do you want to put the Europeans and Eurasians on the same terms as the other races under this rule about educational qualifications and appoint only B.A.'s or B.Sc.'s?—No, I say B.L.'s or LL.B.'s. For superior posts in the Provincial Service I propose the qualification B.L. or LL.B. and not B.A. or B.Sc.

55760. You want to substitute B.L. or LL.B. for B.A. or B.Sc.?—This qualification of B.A. or B.Sc. has been fixed for the subordinate provincial service, and for the superior Provincial Civil Service the qualification should be higher.

55761. My question relates to the Provincial Civil Service?—There are two classes in the Provincial Civil Service—one superior and the other subordinate. For the subordinate Civil Service, B.A. or B.Sc. is the qualification fixed. But we are talking of the superior provincial service, for which I propose B.L. or LL.B.

55762. I am putting questions about this subsection 3 "education qualifications," contained in the Government Order. Do you want to change that order?—Yes, I want to.

55763. You want to put B.L. or LL.B. for B.A. or B.Sc.?—Yes.

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35764. Then do you want Europeans and Eurasians to come up to the same standard?—Yes, there will be no harm.

35765. You say there are two standards. Would you refuse to recruit a European or a Eurasian unless he came up to the educational standard of the other candidates?—Ordinarily, he should be refused.

35766. You would not make it a rule?—No.

35767. Another point is: If you turn to your table on page 5 you see that the recruitments from the ministerial service have been very few and ceased altogether in 1905. What is it due to; do you know?—The people that rose from the rank and file were perhaps thought to have got into some bad practices and it may be for things like these that the door was closed.

35768. Have you had any experience of the ministerial service?—No.

35769. Have you some of those belonging to that service as your subordinates?—Yes, many.

35770. So far as that is concerned, you have that experience?—Yes.

35771. Do you think it is a good thing to have a service like that with no prospects of passing into higher services?—They have the prospects in their own service to rise up to Rs. 600 or Rs. 700.

35772. They can rise as far as Rs. 600 or Rs. 700?—Yes.

35773. You do not think that it is advisable to enable them to get into the Provincial Service?—They would not be able to come into it because they are not men having any University degrees. Most of them.

35774. You quite agree with the policy which was put into operation finally in 1905?—Yes.

35775. In reply to question (32) you say that you are in favour of the accumulation of the privilege leave up to five months?—Yes.

35776. How are they going to accumulate this privilege leave?—At present they can accumulate their privilege leave up to three months, and what I suggest is that the privilege may be allowed to be accumulated up to five months.

35777. How much per annum?—One month.

35778. How long does it take them to accumulate five months?—Five years.

35779. So that you would allow them to go on for five years without any holiday and at the end of five years to take it right away?—Yes.

35780. What has been the tendency within recent years as regards the privilege leave; has the tendency been to take it?—No; not much.

35781. Is it taken more now than it used to be?—A little more than before.

35782. Turn to your answer to question (31). There you say "the number of officers who took privilege in 1912 was 20 against 5 of 1892." Does that show an encouraging increase on the present lines or does it not?—No. It looks as if it is an increase. But if you look to the number of officers who were in the service in these years you will find that it is not a great increase. The figures apparently show that so many people took leave in such and such year against so many in such and such year; but if you see the statistics as regards officers employed in

those years and those who went on leave, you will find that there is not much difference.

35783. How much is this refusal on the part of officers to take leave due to the old habit out of which they will get very slowly whatever facilities you may put in their way?—If they can get five months at a time, they will take it, I think.

35784. Does it or does it not change the whole idea of privilege leave until it becomes furlough?—Furlough they will take and they will take this leave also.

35785. Do you take the view that privilege leave is really leave for short holidays, intended to give a man frequently just sufficient respite from his work to make him run steadily?—That is the idea.

35786. If a man is to work five years and is allowed to accumulate his leave every year, would you still preserve that idea about his work?—He would have absolute rest for five months.

35787. After five years he will have absolute rest?—Yes.

(Adjourned for a short time.)

35788. (Mr. Sly.) You have told the Commission that at present you occupy the post of Sub-divisional Officer in addition to Treasury Officer?—Yes.

35789. Is that the common practice in the Wardha Headquarters?—Yes.

35790. Is there any other case in the Province in which a Subdivisional Officer also holds the post of Treasury Officer?—I do not know of other places.

35791. Have you ever known another case in which these two offices have been combined in one person?—In Chhindwara there was a case like that.

35792. Was it permanent or only for a time?—Only for a time.

35793. The arrangement in Wardha is permanent, is it not?—Yes.

35794. In regard to your proposals for the recruitment of the Provincial Civil Service, you recommend that one-third should be recruited direct by a system of nomination and two-thirds should be recruited by promotion from the Subordinate Service?—Yes.

35795. Can you tell us from your experience which class of officer is most successful in his duties as a Provincial Civil Service officer, the one who comes in by a system of direct recruitment or the one who comes by a system of recruitment by promotion from the Subordinate Service?—A system of recruitment by promotion from the Subordinate Service has been most successful.

35796. More successful than the direct appointment?—I think so.

35797. The whole system of recruitment from the ministerial service or office establishments has been abolished?—Yes.

35798. Do you consider that has resulted in the improvement of the Provincial Civil Service?—Very much to its improvement.

35799. In regard to these posts that you wish to take out of the Provincial Civil Service cadre, do you know that recommendations have been made for the abolition of the posts of Excise Officers

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which are at present included in that cadre?—I have mentioned that in my answer.

35800. Then there remain eight appointments of Assistant Settlement Officer and those also you wish to exclude from the Provincial Service?—Yes.

35801. The reason why they were included in the Provincial Civil Service was because they formed too small a number of officers to make a self-contained Service with a regular flow of promotion?—Yes.

35802. Does it, as a matter of fact, cause any damage to the Provincial Civil Service to have these officers included in the cadre?—There is no damage done to the Service.

35803. Then why do you wish to exclude them?—Because they are officers with inferior educational qualifications, and I wish the Provincial Executive Service to be just like the Provincial Judicial Service.

35804. But you also get the officer with inferior educational qualifications in the Provincial Civil Service when he is promoted from the ranks of the Subordinate Service, which you have already stated to be the best method of recruitment?—But we shall have graduates amongst us.

35805. Do you wish to restrict promotion from the Subordinate Service to graduates only?—Yes, I have said so in my answer.

35806. I should like you to state quite definitely what your proposal is with regard to listed posts?—I wish to have five superior listed posts and five inferior listed posts thrown open in the Executive Branch.

35807. What are the five superior posts you wish to have in the Executive Branch?—Deputy Commissionerships.

35808. And the Inspector-General of Registration?—He is included in the five.

35809. So that you want four Deputy Commissioners and one Inspector-General of Registration?—Yes.

35810. In regard to the work of the Bench and Honorary Magistrates, is it not the case that a very substantial proportion of the Criminal work of the Province is done by Bench and Honorary Magistrates, that nearly 30 per cent. of the total number of Criminal cases in the Province are disposed of by them?—I am not aware of the percentage.

35811. But from your experience in the other parts of the Province do you not consider that Bench and Honorary Magistrates do their work fairly satisfactorily and form a most useful body of honorary officers in the administration of Criminal Justice?—There are many who do good work.

35812. (*Mr. Fisher.*) You propose to recruit 66 per cent. of the Provincial Executive Service from Academically qualified Tahsildars?—Yes.

35813. Are most Tahsildars Academically qualified?—Most of them, especially those that have been selected of late years.

35814. Have they the B.A. degree?—They have.

35815. (*Mr. Madge.*) In answer to question (8) you refer to eleven Eurasians in the whole Service out of 99. So far as you are aware, have

these men done as good service as the others and disclosed much the same qualities?—I cannot give any definite opinion about their work.

35816. You have not come across any?—No.

35817. You have not had them under you or working with you?—No.

35818. In the Rules which you give you have something which may give the impression that some unfair advantage is given to Europeans or Eurasians. You say: "A candidate must have passed the B.A. or B.Sc. examination of a University or in the case of a European or Eurasian have received an education which, in the opinion of the Chief Commissioner, will fit him for the discharge of the duties of an officer of the Service." That is to say, that you provide for a particular class what may seem an unfair advantage, investing in the Chief Commissioner the power to grant appointment to a man who has not secured a degree?—Yes.

35819. Have you a first-class European school in these Provinces?—I do not know which is the first-class school.

35820. Do you think there is a first-class European school equal to the best in India?—I do not think so.

35821. Are you aware that Eurasians and Europeans consider religion an absolutely necessary part of education and are on that ground alone debarred from the best Indian schools?—I am not aware of that.

35822. If the Chief Commissioner is vested with what seems an extraordinary power, would it be because you think he has other means of ascertaining character and quality apart from an examination? Is that the ground on which you have introduced this exception?—The exception was there; I have not originated it.

35823. Do you approve of the exception?—I have no objection.

35824. In answer to question (7) you say: "I consider it essential that the residents of the Provinces only should ordinarily be recruited;" and then you go on to refer to the education in the Provinces. Is it mainly on the ground of education that you think this should be done?—Being residents of the Province they know people better and can do their work better than other people here.

35825. It is apart from the question of pure education?—Yes.

35826. In answer to question (20) you say the officers holding these posts should have all the benefits and privileges of the class to which they belong. Do you mean that when promoted to a post in the Civil Service they should be merged into the cadre of that Service?—Yes.

35827. With all the advantages?—Yes, all.

35828. Would not that lead to a number of adjustments which you have not referred to?—No. I am not aware of any.

35829. (*Sir Theodore Marison.*) With regard to your answer to question (2) I understand you wish the exception which is at present made in the case of Europeans or Eurasians to be extended to members of distinguished noble Indian families?—Yes.

35830. You do not wish to abolish that rule, but to extend it?—Yes, to extend it.

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35831. Do you think that this class is desirable in the Public Service?—It is.

35832. Are they educated?—They are educated.

35833. But are they sufficiently educated to get in as B.A.'s and B.Sc.'s?—Some of them are.

35834. You think there are some desirable recruits who have not that education, or why do you wish to give the Chief Commissioner power to exempt them?—So that he could exercise it whenever he liked.

35835. Do you think there is a class in whose interest it is necessary?—Yes.

35836. A class who would make valuable Public Servants?—Yes.

35837. But they will not come in under the B.A. and B.Sc.?—If they do pass, they will.

35838. B.L. and L.L.B. mean the same thing?—Yes.

35839. (*Lord Ronaldshay*.) You say that there are few people now who do not realise the advantages of the training and education which boys get in English public schools and residential Universities in England, and that if one could afford to send his sons to be benefited by English education in England he would take the earliest opportunity to do so. Am I to understand from that that Indian parents would be quite prepared, if the expense was no bar to their doing so, to send their sons to England at the age of 13 or 14 in order that they might attend an English public school?—Yes.

35840. You think that that is a pretty general feeling among the educated classes in this country?—Yes.

35841. They see no objection to sending their boys at such a tender age to England to get their education?—No.

35842. With regard to what you say as to the desirability of officers of the Provincial Service holding listed posts getting pensions which are as large, or nearly as large, as officers of the Indian Civil Service, officers of the Indian Civil Service contribute annually towards their pension, and it is generally assumed that their contributions provide about half the total pension which they finally receive. In the Provincial Service do you contribute anything towards your pension during your Service?—We do not contribute, but we might contribute if we were asked to do so.

35843. You do not contribute under the present system?—No.

35844. Do you think the Provincial Service would prefer to continue to draw pensions as they do at present without making any contributions to them, or would they rather have a system under which they were asked to make an annual contribution and draw a higher pension when they retired?—That is difficult for me to answer, but I think there may be some who would like to do it.

35845. But it would hardly be possible to calculate the pension scheme if you made it voluntary for a man to contribute. You see the objection to Provincial Civil Service officers drawing as large a pension as an Indian Civil Service officer unless he contributes in the same way as the Indian Civil Service officer contributes?—Yes.

35846. Had you that in your mind when you answered question (43)?—No, I had not that in my mind.

35847. (*Mr. Standen*.) As regards the arduous character of the work which you have been doing lately, do you consider that you have proper time for sufficient recreation to keep yourself in health?—Yes. I work from 7 to 9 hours and the rest of the time I can utilise for recreation.

35848. Do you find you cannot get out for a ride or a walk or a game of tennis during the day?—There are many occasions when I cannot get out for tennis.

35849. You cannot get out in the evening?—No.

35850. But in the morning you can generally get out?—Yes.

35851. Has your health suffered?—Yes.

35852. You are on leave owing to ill-health, are you not?—I am not on leave at present, but I shall be on leave very soon.

35853. Owing to ill-health?—Yes.

35854. With regard to recruitment to the Provincial Civil Service, you said you thought recruitment ought to be confined to the Central Provinces because the officers recruited in that way have a better knowledge of the people and the state of the country?—Yes.

35855. But would it not be true to say that a man from Bombay would have a better knowledge of the circumstances of the South of the Province than a man from the North of this Province?—Yes.

35856. He knows the language, which the man of the North does not know; he sees the same crops growing, and the same castes as in his own country?—Yes.

35857. Supposing appointments in the Provincial Civil Service of Bombay were thrown open to residents of the South of the Central Provinces, the Marathi-speaking districts, do you think any dissatisfaction would be caused if people from Bombay were allowed to be recruited for the Central Provinces?—There would be some amount of dissatisfaction.

35858. Even if they had opportunities in Bombay?—Yes.

35859. Supposing a man wishes to complain against a *Tabsildar* or an Extra Assistant Commissioner, would he do it in the first instance by means of an anonymous petition?—No, he would put in a regular complaint.

35860. He would not be afraid to do so?—No.

35861. Have you ever known a case in which a regular complaint with a man's name at the foot of it has been put in against a *Tabsildar*?—I have.

35862. (*Mr. Mahdi Hasan*) In reply to question (8) you said that judging from the literate and English-knowing male population of the various classes of the census of 1901 the representation seems unequal or disproportionate; and yet in the case of members of distinguished noble families you will not require the educational qualification that you require from others. Will you not go a little further and allow this concession to some influential but backward minorities until their standard rises up to that of the advanced communities?—I am not complaining of unequal representation at all.

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35863. You have stated it as a fact, and yet in the case of distinguished members of noble families you dispense with the educational qualifications. Will you not go a little further and allow this concession in the case of some influential minorities, Muhammadans for instance, until their standard of education becomes as high as that of other communities?—But they have now got more than what they should have. However, I do not follow you quite.

35864. (Mr. Standen.) May I put the question for Mr. Hasan? He has asked you whether in the case of sons of influential landholders you would not require certain educational qualifications. Would you have any objection if the same concession was made in the case of Muhammadans and other backward but influential communities, that is to say, would you allow them to be recruited without the educational qualifications?—I have already made provision for members of influential families.

35865. Would you allow Muhammadans to be recruited without the educational qualifications?—No. I think they have already more than they should have.

35866. They have been recruited without those qualifications, have they not?—Some of them have got qualifications.

35867. But it has not been made a *sine qua non* in their case?—No.

35868. Would you allow that to continue or would you insist on a degree?—I would insist on a degree.

35869. (Mr. Mahdi Hasan.) Then in reply to question (20) you say: "I am not satisfied with the system by which the inferior listed posts have been merged in the Provincial Civil Service, and would suggest that three posts for the Central Provinces and two for Berar may be listed as open to such members of the Provincial Service whom the Local Government may with due regard to their higher status in society, exceptional merit, literary attainment, etc. deem fit to appoint." Supposing that before a man is appointed to a listed

superior post he was appointed to a listed inferior post, he would be held in higher estimation and start his service as Deputy Commissioner in more favourable circumstances. Would you recommend that?—Yes.

35870. (Mr. Thakur.) I suppose you are familiar with the Judicial side of your Service?—Not so much.

35871. To some extent?—Yes.

35872. You have given the Commission some idea of the work that the Executive Officers have to do. Do you know what is the state of work on the Judicial side?—They are overworked.

35873. What time do they spend in Courts?—11 to 5.

35874. Have they to do any work at home?—Yes.

35875. What duration of time is taken up by their work at home?—About four or five hours.

35876. In connection with the pension of the Provincial Civil Service, you have referred to those who hold the listed posts. Are you aware that in fixing the proportion of the pay of the listed posts the full contribution that a Civil Service officer makes for pension is deducted before the two-thirds is taken?—I am not aware of that.

35877. You pass the bills every month?—Yes.

35878. Is not the 4 per cent. deducted every month from their pay?—I do not know.

35879. You do not know whether the two-thirds is taken after deducting the 4 per cent.?—No.

35880. If the pension you propose is not considered on that account reasonable, do you not think the pension of the listed posts should bear the same proportion to the pension of the Civil Service post that the pay of the former bears to the pay of the latter?—It should.

35881. Are you aware that on the same ground the Government of India has increased the leave allowance of the Provincial Civil Officers holding listed posts?—I am not aware of it.

(The witness withdrew.)

RAMCHANDRA WASUDEO PARANJPE, Esq., Barrister-at-Law, 2nd Additional District Judge, East Berar Division, Amraoti.

Written answers relating to the Indian Civil Service.

35882 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Simultaneous examination if introduced in India will, in my opinion, enure to the benefit of this country. I will be in favour of a compulsory probationary period of two years in England for Indian students. The uncertain prospects and disappointments, after having incurred very heavy expenses for a period of nearly three years, are almost crushing. The Indian student, after passing the necessary test in India, will be able to save himself from all these, and will sail to England with every confidence for his probationary period of two years. As an alternative, I would humbly propose 2 dozens of scholarships, from the Government,

for the five Universities in India, for Indian students. I am strongly against any differentiation.

35883 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I would propose the introduction of Sanskrit, Persian and Arabic languages with the same number of marks as for Greek and Latin literature and composition.

35884 (3). Is the system equally suitable for the admission of "Natives of India," and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I suggest no alteration.

35885 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—None.

35886 (5). Do you consider that the combination of the open competitive examination for the

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Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The competitive examination for all should be the same, in my opinion. *Vide* answer to question (2).

35887 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection by headmasters of schools approved or otherwise; (b) selection by authorities in Universities approved or otherwise; (c) nomination by headmasters or University authorities and selection under the orders of the Secretary of State; (d) combined nomination and examination; (e) any other method?—The open competitive examination, on the present lines, is satisfactory in principle, in my opinion, and I have to propose no alternative. I disapprove of any of the principles suggested.

35888 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No. If a sufficient number of scholarships are placed at the disposal of the Indian Universities, I should consider London as the only centre of the Empire where this could be done.

35889 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I have to make no alternative proposal. As an additional proposal it might be accepted.

35890 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—Neither (a) nor (b) are acceptable.

35891 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—For appointment in England also most decidedly.

35892 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—No selection.

35893 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—There is no serious ground for complaint in these provinces, as Indian Civil Servants are being given training, as Sub-Judges, for some time. I have nothing more to recommend.

35894 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Nothing to suggest.

35895 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England or candidates who have completed a University course, or candidates at an intermediate stage of education?—The present age-limit of 22 to 24 is proper and good. The candidate begins his service at 25 properly.

35896 (18). What is the most suitable age at which junior civilians should arrive in India?—The candidates will have sufficient time in England, to avail themselves of the facilities in English Universities, for greater distinction. They will become a little more mature, and therefore 26th year of age is suitable.

35897 (19). What age-limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India," and for other natural-born subjects of His Majesty?—Matriculation age 16. M.A. Examination 22. Indian Civil Service Examination 24. 2 years' probation in England 26. I do not recommend any differentiation in respect of age.

35898 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes, I would like to stick to Lord Macaulay's principle. To put the principle fully into operation I suggest the following change in the syllabus. Indian History. (i) Period up to A.D. 800. Hindu Historical period—400 marks.

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Hindn pre-Historical period, 400 marks, (ii) Period A.D. 800 to 1900:—Muhammadian period 200 marks, Mixed Hindu-Muhammadian period 200 marks, British occupation period 200 marks, Indian Sociology and Political Science 200 marks. Sanskrit or Arabic or Persian. Just similar to Greek and Latin—1,600 marks. Vedic History or Sarasenian History.

35899 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think any differentiation is needed. The Asiatic Oriental languages should be treated as on the same level as Greek and Latin as far as the marks go, and Indian History also.

35900 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Observing efficiency exclusively as a test in making the appointments, it is not practicable to fix a minimum. It depends only on the needs of the Government, the efficiency of the machinery of the Government, and the political state, or condition, of the country.

35901 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system and, if so, what?—The present system seems to be generally satisfactory. As long as there is no sufficient scope for the admission of "Natives of India" through the medium of open competitive examination, the idea of recruiting "Natives of India," under the present system (stopping statutory service appointments), is not a bad one. The only general recommendation that I am in a position to make is a more liberal share of the higher posts, for the Provincial Service, on almost the same conditions of salary, leave, allowances, etc.

35902 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary.—(i) G. A. Khan, Esq.; (ii) P. S. Pathak, Esq.; (iii) C. B. N. Cama, Esq.; (iv) B. Dey, Esq.; (v) G. V. Bewoor, Esq.

35903 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I am not in favour of reviving the time-worn system of Statutory Civilians.

35904 (29). What experience have you had of military or other officers who have been

specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your province? Please distinguish in your reply between (a) military officers, and (b) others; and give details of the latter?—I am unable to answer this question satisfactorily for want of experience. I know of only two instances and they have both proved officers of a high order, keen perception, and great ability, worthy of the highest judicial honours and responsibilities.

35905 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—Yes, so far as I have been able to ascertain the facts.

35906 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—Yes.

35907 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—Yes. Instead of two posts to which they might be appointed they were given two posts to which they must be appointed.

35908 (38). Is the class of posts listed snailable? If not, in what directions would you suggest any changes, and why?—By this time it is almost certain that the administrative requirements of the Central Provinces, as well as the enormous strides that education has made, among its people, on account of the very liberal grants of money and generous and wide facilities placed at their disposal by the Government of the Province, the growing aspirations it has created, and the pressing claims of an established Provincial Service of over three decades, justify that one Commissionership of a Division, one Deputy Commissionership in each Division of the Province, one permanent Assistant Secretaryship, one permanent Under-Secretaryship, and the Registrar's post should be reserved for members of the Provincial Service.

35909 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I am in favour of the continuance of the probationary period of one year in England.

35910 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—One year in the case of European students, and two years in the case of Indian students, if simultaneous examination be introduced.

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35911 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—At an approved University.

35912 (46). If so, do you advise the selection of one or more Universities for this purpose, and for what reasons?—This matter should be left to the Civil Service Commissioners, in my humble opinion.

35913 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. But the present scale and conditions might be improved.

35914 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I should depend upon the wisdom and advice of the Civil Service Commissioners in this respect.

35915 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—The advantage of a general course for a year more during the probationary period should be given to the candidate.

35916 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (a) under the existing system of the open competitive examination, and (b) under any modification of that system recommended by you?—I have to propose no alterations, except those proposed under question (20).

35917 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (a) Indian Geography, (b) Political Economy, (c) Accounts?—I approve of Nos. (i) and (iv).

35918 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—I have already given details on the supposition that the probation is to be spent in England, but I would preferably like the probationer's period for Europeans being passed in India and for Indians in England.

35919 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I support the proposal.

35920 (55). What is your opinion of a proposal that each provincial Government should arrange

for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The proposal is suitable.

35921 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909) the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—An institution, near about some Indian city of importance, possessing a fairly cool climate, and fairly representative of Oriental civilization and education, should be founded.

35922 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—If the scheme of direct recruitment in India (for "Natives of India") be introduced, I would propose that the period of two years' probation in England should be made compulsory.

35923 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—I would propose as follows:—In the case of Europeans (Home candidates) one year of probation in England and one in India. In the case of Natives of India both years of probation in England.

35924 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I consider that a differentiation is necessary on the following lines. The probationary training that they will get should be so arranged as to give a close and intimate insight into European methods of administration, as also a thorough acquaintance with the various problems.

35925 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I propose that a proper official and judicial training should be placed at their disposal from the work of the lowest grade.

35926 (61). Is the existing system of Departmental examinations suitable, and if not, what change do you recommend?—The present system is suitable.

35927 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes?

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Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I do not believe that there is any very considerable deterioration, in the knowledge possessed by the Indian Civil Servants of the Indian vernaculars, but I think to a certain degree this deterioration is perceptible. The causes for this are, in their nature, unavoidable and inevitable. A quarter of a century ago the Indian Civil Servant was really the father of his people, not only of the lower classes, but also of the higher classes, committed to his charge. The Indian people did not possess any acquaintance with the language of the rulers, and the difficulties of easy communications, in the country itself, and the more so with England, made the average Englishman an integral part of the Indian society. Now the Indian's knowledge of English makes the European's knowledge of the vernaculars unnecessary in many cases. It is regrettable to observe, that as days pass on, the highly educated official or non-official Indian is out of touch with the European, and the European officer's contact is more with the uneducated section of the people than with the educated section. Higher proficiency in languages cannot be attained without an acquaintance with higher thought, and no civilian can have the grasp of thought and language unless he associates more fully, and appreciatively, with the educated Indian.

35928 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—A central school for probationers would be the best means, but best results can be obtained only by individual efforts and initiative.

35929 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service; distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—Civilians are, at the present day, appointed at once to District Judgeships without any considerable judicial training. The better course would be to insist that every civilian intended for the Judicial Branch of the Service should begin his work as a Sub-Judge, and should not be made a District Judge until the ordinary proficiency is shown by him. The higher judicial appointments should depend upon special aptitude, and on the selection of the High Court. This has been tried with some success in my province.

35930 (65). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—I think that such selected officers should be put in the Legislative Department, under the Legal Remembrancer, and that would be sufficient training, in my opinion.

35931 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I think that an original

work in jurisprudence should be rewarded by a special judicial appointment.

35932 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty?—I would deprecate the least differentiation.

35933 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—For the first two classes I have recommended probation in England, and for Europeans I have recommended probation in India. In my opinion this should suffice.

35934 (71). Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions?—If at any time a need should arise whereby the Secretary of State would exercise his power of direct nomination of high-born Indians to the commission, irrespective of competition; the education and probation of such gentlemen should be for even much longer periods, and at centres irrespective of the arrangements proposed.

35935 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The present system is suitable, and no change is proposed.

35936 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and, if so, what?—There should be uniform scale of pay and prospects throughout all the provinces of India.

35937 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I insist that the distinction between Europeans and Indians in the Civil Service, in the matter of exchange compensation,

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should be altogether abolished, and that the holders of listed appointments should in this respect be placed on a footing of equality with other civilians.

35938 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I recommend the full salary for them.

35939 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I humbly suggest that the same rules about leave should apply to members of the Statutory and Provincial Services, holding appointments ordinarily reserved for the Civil Service. The present rules press very hardly on these officers, because owing to their change of living and the responsible duty that they have to perform, they stand as badly in need of recruiting their health, and the need of going to cooler places and out of India is ordinarily as keenly felt by them.

Written answers relating to the Provincial Civil Service.

35940 (1). Please refer to Government of India Resolution No. 1046—1058, dated the 18th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—With the limitations and alterations suggested in answer to questions which follow, the conditions appear to be suitable generally.

35941 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—I recommend that the rule as to three years' residence should be relaxed. A year's residence ought to suffice in the case of a person intending to reside permanently in these Provinces.

35942 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your Province under each system since its formation?—A staff of Extra Assistant Commissioners existed before the recommendations of the Public Service Commission of 1886-1887. In 1890 the Government of India moved the Local Government for the constitution of the Service in these Provinces; and the Central Provinces Provincial Civil Service was actually constituted under that name in 1893. The number was then 37. The cadre rose to 44 in 1898, then to 48 in 1899. Thereafter in addition to these there were 45 temporary

or officiating appointments of Extra Assistant Commissioners up to 1st of January 1902. In 1903 we saw an important change. The number rose to 129 including 4 Excise posts and 24 Berar posts. A still more radical change was effected in September 1905. A division into Executive and Judicial Branches with separate grading was made thus from Rs. 200 to Rs. 800—

68 Extra Assistant Commissioners—Executive.
51 Extra Assistant Commissioners—Civil Judicial.

In 1907 the figures stood thus :—

79 Extra Assistant Commissioners—Executive.
61 Subordinate Judges—Civil Judicial.

Out of these—

15 worked as District Judges,
33 as Sub-Judges, and
12 classed as Munsifs from Rs. 200 to Rs. 250.

In 1910 one Sub-Judge for Deputy Registrarship was added and one Extra Assistant Commissioner as Oriental Translator of Rs. 400 grade was added, so in 1910 the numbers stood as follows :—

61 Judicial Civil.
99 Extra Assistant Commissioners.

It is understood that the system of recruitment in the Central Provinces is followed on the lines laid down in Government of India's Resolution dated the 18th August 1910. Admission to services is made partly by promotion from subordinate service and partly by appointment of probationers not exceeding 2 years' recruits every year, 7 being the maximum in the Executive. The Judicial branch is recruited by promotion of Munsifs from subordinate service. The latter are selected from Law Graduates. The Local Administration's power of creating appointments of salaries not exceeding Rs. 800 has been recently enlarged from July 1912. My humble suggestion is that this power should be liberally exercised in view of the increasing demands on the present staff.

35943 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—I approve of the principle of selection and nomination with the limitation that preference is given to the highest educational qualifications. I am in favour of educational competition with a certain reserved percentage in the executive for families deserving special consideration at the hands of the Administration owing to their hereditary traditions or past services to the Administration. These methods of recruitment are not only approved by the public, but they have also proved generally satisfactory. By a tacit understanding, law graduates only are being recruited in the judicial branch and simple graduates in the executive branch of the service, but the rules have not yet been amended in these provinces. They should be amended accordingly. For the judicial service, a Law degree and practice

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at the Bar, sufficiently long to satisfy the District Judge recommending the candidate, should be the conditions for admission. The Munsifs are not members of the Provincial Civil Service. At present they are members of the Subordinate Civil Service under the rules. This is an anomaly for which there appears to be no justification whatever. In all the advanced provinces of India, excepting the Punjab, Munsifs have been ranked as members of the Provincial Civil Service. On a serious consideration of the question I fail to see any ground for the continuance of this exclusion. So far as I am aware, no direct recruitment to the Provincial Judicial Service has yet been made, though there is nothing in the rules to prevent the Local Government from doing so. Promotions to the Provincial Judicial Service are made from among the Munsifs. The Munsifs of to-day will be the Subordinate Judges of tomorrow. The same educational standard and qualifications have been imposed on both. The only difference is the extent of their pecuniary jurisdiction. The impropriety of the different classification of services is being keenly felt and even resented in some quarters. I would therefore humbly suggest in the first place that the term Munsif should be abolished. Secondly, that the whole body of judicial officers should be all members of the Provincial Service as in the Bombay Presidency.

55944 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There should be no restriction against non-residents as such on principle, for such restrictions will conflict with the paramount right and necessity of the State to employ in its service the best talents wherever available. But the rightful claims and aspirations of the residents should be duly safeguarded. So far as I am aware, as a general rule, non-residents have not been admitted.

55945 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Sufficient materials to work up the figures and statistics and the time to do so are not presently at my disposal, but I humbly suggest that efficiency should not be sacrificed to class representation so far as possible, and that class representation should not be considered as a principle. If qualifications are sufficiently high, in exceptional cases, chances should be given by class representation. But the rights of the majorities also should be as adequately guarded as those of the minorities. It will be found that in the Executive Provincial Service, as well as the subordinate branch of it, the Hindus have not had that adequate share of representation which their numerical percentage and their educational attainments demand. They have got sufficient representation in the Judicial Service, because admission to that service has been regulated by a strict and high standard of educational attainments. But the Executive and Police Services have not had a sufficient representation of that element even though the Rajput, the Maratha, and Brahman

castes have proved themselves none the less capable and reliable. But though I have expressed an inadequacy of Hindu representation in certain branches I wish to repeat that on principle I am not in favour of communal representation in any of the Services.

55946 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—There is no system of probation in the judicial branch and none is desired, but I propose that there should be some interchange between Munsifs and Subordinate Judges on one side and Clerks of Courts of District Judges and Registrar and Deputy Registrar, on the other, so as to secure for the former an adequate equipment, training, and experience in the routine branches of the judicial department.

55947 (10). Is the existing system of departmental examinations suitable, and, if not, what changes do you recommend?—I have no alterations to recommend.

55948 (12). What is the system on which the strength of the ^{executive} ~~judicial~~ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?—The principle and the system according to which the strength of the Service is maintained are not very clear to me, but the strength of the Judicial Service is entirely inadequate to cope with the growing needs of the province. I would therefore humbly propose an immediate increase by 25 per cent. in the *personnel* of the Service.

55949 (14). Is there any reserve for officers under training and is it adequate?—I am not aware of any in the judicial branch of the service.

55950 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—The principle of selection appears to be the guiding principle in promoting to the higher grade. What particular system and to what extent it is followed is not known to me. I have no change to propose.

55951 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—My answer to the first part of the question is in the affirmative. On the latter part the only suggestion that I have to offer is the experiment of a transfer of inefficient officers from one branch to some other more suitable branch before compulsory retirement.

55952 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The differentiation presently consists in the separation of purely Civil Judicial work from the Criminal and Revenue work. The time is now ripe even in the Central Provinces for a complete separation of the purely Judicial work, both Civil and Criminal, from the Revenue and other

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administrative functions of the district. It will not, I believe, be denied that the hands of the Executive officers are now too full with the latter duties and their minds too distracted to acquit themselves creditably in purely criminal judicial work.

35953 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—The present arrangements and number of listed posts fail to satisfy the reasonable aspirations of the Provincial Service. The Provincial Service eagerly looks to the time when, in addition to the listed posts of District and Sessions Judgeships, one post of Judicial Commissionership would be thrown open to it.

35954 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am satisfied. I have nothing to suggest.

35955 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—So long as members for this service are not recruited by a competitive examination common to the whole of India, the name needs no change, in my opinion.

35956 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle recommended by the Public Service Commission was good and proper, at least so far as these provinces were concerned, for the main reason that in those days the chance of being appointed to Government service was an asset and a matter of prestige which satisfied the aspirations of the ablest men in the community. But the present more settled condition and advancement of these provinces, the spread of education amongst the people, the evolution of independent educated professions in the native community, and the absence, in the case of men of the Provincial Civil Service, of that prestige and covenants that attach to the position of the member of a superior service, the increased cost of living, almost in every nook and corner of the province, all these with many other minor circumstances have contributed to make the Provincial Government Service not quite so attractive to the best minds amongst educated Indians. The general principle for the adjustment of salaries should, in my humble opinion, be that no member of the services should have to live hereafter on conditions of salary, environment, and prestige wherein he would be perpetually feeling that he is considerably handicapped in all equipments and amenities of life as compared with other Native gentlemen of the same education and standing with whom they come into daily contact.

35957 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The salaries in all the grades are inadequate to attract the best men in the communities. The salary of Munsifs, who should be all Subordinate Judges, is most unattractive and disappointing. They should have a starting salary of not less than Rs. 200. In the lowest grade there should be as few posts as possible. The highest grade should be of Rs. 1,000. One post of Judicial Commissioner should be thrown open. Some members of the Provincial Service are at least as competent as, and by no means inferior to, those of the Imperial Service in legal attainments.

35958 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—The Provincial Service men are not satisfied with the present system under which officiating promotions are not made in the service. I am of opinion that in this respect the lines laid down for officiating promotions in the Indian Civil Service ought to be followed. The distinction is being keenly felt not only on account of the pecuniary loss involved, but also because it is regarded as an indication of a reproach.

35959 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—Generally speaking, I am unable to say that the system of a time-scale of salary is preferable to the graded system of promotion; but having regard to the congestion in the Provincial Service, I would welcome the introduction of a time-scale of salary. Under the existing graded system the promotions are so slow that I would consider the Junior members of the service fortunate if, on the eve of their retirement, they step into the Rs. 400 grade. Without pretending to lay down any detailed scheme I would submit that an officer of the Provincial Service, at the end of 10 years' service, ought to be in the Rs. 500 grade. I would not like to see the time-scale of salary restricted only to the lower grades of the service.

35960 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—From some experience of the working of the time-scale of pay in other Indian Services, such as the Provincial Educational Service and Engineering Department, I can speak to their suitability. But I would humbly suggest that the periodical increments by which the maximum pay of an appointment has to be reached should not be made to cover a longer period than five years.

35961 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and

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Judicial branches of the Service is different?—During the short time I have had at my disposal I have not been able to consider in detail the scheme of time-scale salary. I cannot, therefore, do more than indicate the general line of the system as proposed in my answer to question (23). I would leave this to the convenience of each Administration and to the importunate needs of the members of the Service.

35962 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—No, I do not at all approve of the arrangement by which officers of the Provincial Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. When appointed to the listed post an Indian officer has to maintain the same position, dignity and style of living as that of the officers of the Indian Civil Service, and any shortening of his emoluments on the score of his being an Indian will not only hamper him in the maintenance of his high position but is also likely to impair his public usefulness by creating invidious distinctions. The saving thereby effected is too insignificant to warrant the sacrifice of the moral advantages of granting full pay. The exceptionally fortunate Indian, who attains to that position, is a chain between his own race and the Administration, and as such has to bear the double and occasionally intolerable responsibility of keeping up the high style of his English predecessor without sacrificing the high style of Indian high class gentry. Moreover, the gentleman can keep up the same position of his family and children in after years only by giving the highest recognised standard of education here and in England to his children—a course which involves far greater responsibility and anxieties as well as expenditure as compared with those of a European officer of the same standing who can manage the English education of his children much more comfortably and cheaply. In view of the imperative necessity of creating a permanent Indian officialdom to form the broad basis of a first-rate European administrative hierarchy, it is absolutely necessary at least for some decades to safeguard that the listed Native officers be protected by the same amount of pay if not by special emoluments.

35963 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I have not by my side sufficient statistics to answer this question thoroughly, but speaking of my branch of the service I cannot ignore the fact that as days pass on a greater number of officers is forced to go on sick leave. The reason for this is not far to seek. The members of the judicial branch are, from top to bottom, overworked. At home and in office there is constant desk work. The mental wear and tear is immense. Touring or

change of work there is none to them, to relieve the dull monotony of their strenuous mental life. The consequence of this excessive strain is an early breakdown, a miserable condition of health, and, if circumstances permit, a premature retirement. The insufficiency of the salaries and the tardiness of the prospects makes it impracticable and pecuniarily inconvenient to sacrifice their half pay, since no kind of leave under the present rules is available unless on half pay. The other great deterrent in the matter of taking leave consists in the obvious fact that transfers in these days are far more frequent. An officer is afraid of adding to his troubles of transfers the bother involved by leave. The rule that confines privilege leave to the maximum period of three months also adds to this inconvenience. This maximum of three months should be increased to the maximum of six months computable at the rate of a month a year as before. Officers of even 10 years' standing have not generally taken privilege leave, merely for the insufficiency of it, to recoup themselves, even though they have been feeling badly in need of it. No leave could be conveniently taken in view of the necessity of maintaining a double establishment for less than a period of six months.

35964 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—My branch of the service is unacquainted with any leave on full pay. I would suggest that the privilege leave which is permissible to judicial officers on half pay in addition to the one month's summer vacation should be converted into privilege leave on full pay.

35965 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I have given the answers fully to these questions under question (32). I would like to add that the leave rules for European and Indian Services should be the same. Provinces much more fortunately situated in respect of climatic conditions enjoy a longer vacation than this province. The summer vacation in these provinces ought to be extended to a month and a half at least instead of a month as at present. Members of the Provincial Service should on transfer get travelling allowance sufficient to cover the actual expenses. In these days transfers are so very frequent and the travelling allowance allowable under the existing rules is so small that each transfer means regular punishment and fine to the officer. There should be an increase of 25 per cent. in the personnel of the Provincial Judicial Service. This is rendered necessary by the immense increase in litigation and by the keenness and persistence with which each matter is fought out, resulting in a heavy draft on the officer's time and energy. I may also add here that the inability of the Government to ordinarily grant more than three months' leave at one time causes in the Administration a congestion of jaded, unwilling officers

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who drag on until they are involuntarily relieved by the inevitable sick leave.

35966 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—I would humbly propose the superannuation pensions as below:—25 years instead of 30, 20 years instead of 25, on medical certificate. Extensions should be never granted as a rule. This will, to some extent, prevent a block in the promotions. Moreover, extensions cause a further disappointment in the lower grades of the Provincial Service.

35967 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the grant of reduced pensions on the scale of number of years, multiplied by the highest pay enjoyed by the officer, at any time, before retirement, divided by sixty.

MR. R. W. PARANJPE called and examined.

35971. (Chairman.) You are a member of the Judicial Branch of the Provincial Civil Service?—Yes.

35972. And you occupy the position of Second Additional District Judge?—Yes.

35973. Will you tell us how you entered the Service?—Just after the famine year I saw the Chief Commissioner and spoke to him about the bad condition of practice, and he offered me an Extra Assistant Commissionership a couple of months after that.

35974. How long ago was that?—It was in 1901.

35975. When you first got into the Service you were an Extra Assistant Commissioner?—Yes. There was no separation between the Judicial and the Civil Branch.

35976. Have you now the full powers of a District Judge?—Yes.

35977. And you draw the extra emoluments?—I drew the extra emoluments for three or four months, but lately I have got no extra emoluments. I am in the Rs. 400 grade and I draw that sum, although I am officiating as Second Additional District Judge of Amraoti. Special sanction was obtained for my post for a year, but I do not know what has been done with the emoluments. For some months I got Rs. 500, but now that has been stopped.

35978. Is Rs. 400 the proper salary for the position you are officiating in?—Certainly not.

35979. What is the proper salary of the post?—Nothing below Rs. 500. It is an appointment reserved for the Indian Civil Service and no person should be appointed as an Additional District Judge below Rs. 500.

35980. With regard to the Provincial Civil Service, you consider it unsatisfactory that a Munsif should be classed in the Subordinate Service?—Very unsatisfactory indeed.

35981. You would like to see Munsifs in the Provincial Service?—Yes.

35968 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I do not approve of the present system, but I am not prepared to suggest an alternative.

35969 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Subject to my answer to question (40).

35970 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required and what arrangements of this kind do you consider to be necessary?—The Provincial Service is very thankful and grateful to the Government for the arrangements already made. Any further expansions made in the same direction would be gratefully appreciated.

35982. At what pay would you like to see him commence?—I have proposed nothing less than Rs. 200.

35983. In your reply to question (18) you say that the Judicial arrangements in your Province are satisfactory and that Indian Civil Service officers are trained as Sub-Judges in the first instance. Then in your answer to question (64) you rather seem to say otherwise. Could you tell us actually what takes place?—Now-a-days an Indian Civil Servant is appointed a Subordinate Judge and powers are given to him to try cases from Rs. 1,000 to Rs. 2,000 or Rs. 3,000, and he gets a certain amount of experience. He is kept in charge of such work for a year or two, and then, if there is any vacant post of a District Judge, he is appointed a District Judge of a small place, and there also he gets a certain amount of training, because the work in the small districts is neither so heavy nor of such a very intricate character. He gets some training there, and then is appointed to the post of a Sessions Judge, or in the Central Provinces a Divisional Judge.

35984. So to that extent he gets a certain amount of judicial training?—Yes.

35985. Then you say you would put all Indian Civil Service officers who join the Judicial Branch through a course of training in the Legal Remembrancer's office. What particular training would they obtain in that office?—If he is appointed as Subordinate Judge and is made to do the work of a Munsif, then probably that will not be necessary. I would be satisfied with the training which he might receive as a Subordinate Judge and a District Judge of a small place. Before his appointment as a Subordinate Judge, if he is made to work in the office of the Legal Remembrancer, he will be more fit for the work of a Subordinate Judge, because for some months he is at a loss to understand what he has really to do and what will be the correct procedure as well as the Law. He is

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led by the Pleaders and his position is not quite so comfortable for some period. He soon picks up the work. If he is made to work in the office of a Legal Remembrancer, I think his position would not be as I have described it; he would be better-off.

35986. You think his training in the office would be of a practical character and not merely perfunctory?—Yes. He will know how to prepare a brief in the office and what are the necessary elements; he will know exactly what the position of the Pleaders who appear before him is, and what ought to be done when cases have to be put up, and how they are to be understood.

35987. He will find himself more on a position of equality with the Bar than he would otherwise be?—Yes.

35988. In your answers to questions (4), (12) and (31) you complain of overwork. Could you tell us in what class of appointments the strain of work is most felt?—I think in our Provinces from the bottom to the top the work is very heavy. From the Munsifs up to the highest Judicial appointment we are all overworked. The staff is not adequate at all, and the work with which we have to cope is of a more elaborate and intricate kind on account of the progress all round, the ability of the Pleaders and the obstinacy of the parties. Every point in a case is contested, and whatever issues are framed, evidence on those issues is given to such an extent that we feel ourselves almost harassed at times. In the olden times the cases were not contested so much, but now-a-days each case is contested right up to the end.

35989. Would you describe your community as possessing a fine litigious faculty?—I think in some cases they are justified in securing the finding of the highest Courts and doing their best.

35990. Has the amount of litigation increased considerably of late years in this Province?—It has.

35991. Have increases been made in the staff of the Judiciary in the different grades to meet that increase?—Yes, some increase.

35992. When was the last increase?—In 1904.

35993. You propose an increase of 25 per cent. in the Provincial Judicial Service. Could you tell us what additional appointments you would suggest?—I would suggest the appointments of some additional District Judges and also some appointments in the higher grades.

35994. Have you thought out at all how many you would appoint?—I have not thought out any regular plan.

35995. You are not prepared to give any particular number?—No. That would be according to the requirements.

35996. You would have an increase of additional District Judges?—Yes, and then some more posts from the Rs. 500 grade to the Rs. 800 grade. There are very few posts in the Rs. 500, Rs. 600 and Rs. 700 grades and only two in the Rs. 800 grade. I should like therefore to have more posts in the grades from Rs. 500 to Rs. 800. I have also proposed an increase in the salary of the top grade, from Rs. 800 to Rs. 1,000.

35997. Then you advocate the recruitment of the Provincial Service through a system of

combined nomination and examination, the nomination to be confined to specified persons, with additional qualifications. Who would be the nominating authority?—I do not think I have recommended nomination anywhere. I only say that in connection with certain posts, which should be reserved for persons of very good families, there could be nomination if the qualifications are equal.

35998. That requires some form of nomination?—To that extent I have recommended nomination.

35999. That is why I ask you what form of nominating authority you would suggest?—I would look at the status of the family to which he belongs.

36000. That is the qualification. What would be the body to undertake the nomination or selection?—I would recommend that the Chief Commissioner or the Administration should keep it in their hands. I do not recommend any special body.

36001. You would not favour the suggestion made to us that a Board should be created consisting of Government representatives and non-official members?—I do not recommend a Board anywhere. I would leave it in the hands of the Administration of the Provinces. I would only have it so far as members of very high families are concerned, and if the qualifications are the same.

36002. You would not confine your choice to those, would you?—Nomination only to that extent.

36003. And for the rest?—University qualifications, and if Pleaders are appointed as Munsifs or Subordinate Judges I would take the length of time they have been practising and the certificate they obtain from the District Judge, and such things.

36004. You would nominate a certain number of representatives of high families with certain additional qualifications, and the rest of the recruitment would be by examination?—No. I do not approve of any special examination, because people coming from the University and practising so many years as Pleaders will be taken into the Service here. They are being taken now and they would be taken then. If they are taken from the Bar there will be no necessity for any special examination; they will have their University qualifications, and their practice at the Bar should be sufficient to make them eligible for appointment in the Judicial and Executive Branch.

36005. You ask also for certain improved prospects for the Provincial Civil Service. You would list more posts?—Yes.

36006. And create a grade of Rs. 1,000?—Yes.

36007. And you would lay down that the Rs. 500 grade should be reached in ten years?—Yes.

36008. Would you place a bar at that grade and have selection for efficiency beyond that?—Yes; I should think so.

36009. In your answer to question (26) you seem to prefer the graded system of promotion to the time-scale?—Yes.

36010. That is for the higher posts?—Yes.

36011. What advantage do you see in the graded system over the time-scale?—The time-

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scale is only an alternative and not a very satisfactory one.

36012. What are your reasons for preferring the graded system? The time-scale is more regular, is it not?—Yes.

36013. What are the objections to it?—I have not thought over that question. I do not think I should be able to answer it properly now.

36014. But does not a time-scale remove a block more effectually than an improved graded system?—I have proposed it because there is a block in the Service. If there are more posts created from Rs. 500 to Rs. 1,000 probably there would not be any block and the time-scale proposal need not be adopted. Then we shall have the graded system.

36015. Do you mean the time-scale need not be adopted up to Rs. 500?—It should be. There are in the Rs. 400 grade a sufficient number of posts, but above Rs. 400 the posts in the higher grades are very few.

36016. You would increase those posts in the various grades and you believe that that will remove the block and will be more satisfactory than the time-scale?—Yes.

36017. You make certain proposals with regard to improvements in leave and pension, and you suggest that the privilege leave which is permissible to Judicial Officers on half-pay should be in addition to the one month's summer vacation, and should be converted into privilege leave on full pay. How much leave would that be in a year altogether?—Two months.

36018. Two months' leave each year on full pay?—Yes. We have already got one month's vacation in the summer.

36019. What pay do you get during the summer vacation?—Full pay.

36020. And you would like to see privilege leave combined with vacation leave on full pay, which would give you two months a year?—Yes.

36021. You would be getting by that considerably better leave terms than the other Branch of the Service?—I am not aware of the leave rules of the other Branch, but I think the Judicial Branch of the Service ought to have that leave on account of the strain it has to bear.

36022. Do you find that officers take full advantage of their vacation every year?—They do.

36023. Do they go away for a change?—Yes.

36024. But you do not think that is sufficient change and rest for them?—It is not sufficient, and the vacation leave is at an inconvenient time and when it is very hot. If we want to be comfortable we have to stay at home and make our house comfortable for ourselves. If we go out we expose ourselves to much inconvenience and heat unless we go to the hills, which we cannot afford to do with the salary we get.

36025. Am I right in inferring that you would put the improvement of pay first?—Yes.

36026. Which would you put second, improvement in leave rules or improvement in pension, if it were a question of alternatives?—Improvement of pension would naturally follow improvement in pay.

36027. Supposing it did not naturally follow and it was a question of your being offered one or

other of those improvements, improvement in leave or improvement in pension, which on the whole would be the most acceptable to the Service?—I would put them in the order of the improvement in salary and pension.

36028. (Lord Ronaldshay.) Arising out of the answer you have just given to the Chairman, your pension in the Provincial Civil Service is a fixed proportion of your pay, is it not?—Yes.

36029. So that if your pay is increased your pension must be increased at the same time?—Yes. I understood the Chairman to refer to some change in the period of pension. I propose twenty-five years instead of thirty.

36030. (Chairman.) I was alluding to your answer to question (40).—A man should be allowed to retire on medical certificate after twenty years' service; that is what I mean.

36031. (Lord Ronaldshay.) In your answer to question (22) you say a variety of circumstances have contributed to make the Provincial Government Service not quite so attractive to the best minds amongst educated Indians as it used to be. Do you mean that at the present time a brilliant young Indian student would probably prefer to seek a career in some profession rather than in the Government Service?—Yes; I should think he would consider the Government Service as the last chance for him in life.

36032. That is putting it very low, is it not?—No. It is on account of the low salary, the hard work, and the very remote prospects of going to the end of his Service and getting a pension.

36033. When you say a man has a very slight chance of getting to the end of his service and obtaining a pension, what exactly do you mean?—I mean that if he can get on as a lawyer he will practise as a lawyer. If he can get Rs. 100, instead of taking over an appointment at Rs. 130 as a Munsif he will practise at the Bar; but if the prospects of the Service are bettered by raising the salary to Rs. 200 then I think he will seek a chance of the Service first. He will not think of any other occupation, but will at once apply to enter the Service. As matters stand at present, the best chance he can secure in the Service is that of the post of a Munsif at Rs. 125.

36034. That is really not an answer to my question. I understood you to say that a man entering the Provincial Civil Service now had a very small chance of serving his full time and getting a pension. Do you mean that men die before they reach the pension age?—That is very clear I think from the facts. I have often found that people in the Judicial Branch do not reach the age when they get their pension. Some of them die prematurely; some of them linger on with some complaint or other, and they hardly ever reach the age of pension, because the present age for pension is 55.

36035. Have you got any figures which would substantiate that statement?—Yes, I think I could substantiate it, but I think the facts are clear and require very little substantiation.

36036. You are of opinion that the Service should be made sufficiently attractive to secure the services of the best minds in India: that is your definite opinion?—Yes.

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36037. Why do you object to the term Munsif?—Somebody the other day remarked that he objected to the word "Extra" in Extra Assistant Commissioner, and I have no better grounds for my objection to the term "Munsif."

36038. You thought you would like to get quits with the Executive branch of the Service? But is the word "Munsif" one which carries any derogatory meaning with it?—It ought not to.

36039. But you think it does?—As it is the smallest appointment in the Judicial line it has been understood in a very peculiar way. It is almost a slur upon the men who are Munsifs that they do not belong to the Provincial Service but to the Subordinate Service.

36040. If Munsifs were included in the cadre of the Provincial Civil Service, then you would have no objection to their being called Munsifs?—I should not be so unreasonable as to object to it simply on the ground that it has a particular name, if their chances and prospects are fairly good.

36041. You refer to two methods of assisting Indians into the superior Service, first to the suggestion of holding simultaneous examinations, and secondly, to the suggestion of giving scholarships to enable Indians to go to England with a fair chance of passing into the Service through the English door. But I am not clear in my mind from the answers you have given to questions (1) and (8) which of those two methods you prefer. In answer to question (1) you say that simultaneous examinations if introduced into India will in your opinion enure to the benefit of the country, and when I read that I thought your preference was for simultaneous examinations. Then in answer to question (8) you say that if a sufficient number of scholarships are placed at the disposal of Indian Universities you would consider that London was the only centre of the Empire where this examination should be held. Which of those two proposals do you really prefer, or have you any strong preference for one over the other?—I anticipated this question. I think I am a little wrong in putting it that way. I proposed 24 scholarships only as an alternative. I was not quite confident of the introduction of simultaneous examinations in India, and in that mood of despondency I proposed two dozen scholarships as a very speedy solution, at least for the present, and that is why I have put it in that way. I do not think I put it as I should have desired.

36042. (*Sir Theodore Morison.*) The Munsif in these Provinces is an LL. B.—Yes, nobody else is appointed as a Munsif.

36043. Do you know how many B. A.'s are produced in these Provinces every year?—I could not tell you the exact number.

36044. Is it very large?—I think it must be nearly 50.

36045. How many appointments of Munsifs are there made every year?—I think about 5 to 7, but I am not sure.

36046. How many B. L.'s are there every year?—I think about five to seven, but I am not sure.

36047. I am afraid that will not do, as otherwise they would all become Munsifs and you would have no Pleaders?—Outsiders also have to be taken when men are not available here.

Candidates from the Bombay Presidency and the Calcutta University have to be taken here.

36048. Is that because you do not produce a sufficient number of B. L.'s in these Provinces?—That is not the only reason. Those who are produced here find it more convenient to practise because they think that being local men they stand greater chances of success in practice. Therefore they generally decline to take up the appointments of Munsif.

36049. A certain number go into the Law?—Yes.

36050. Is the Bar very congested here?—At present it is.

36051. Are the chances of making a livelihood at the Bar very good in the Central Provinces?—No.

36052. But they are better than the chances of the poor Munsif?—I think so, and that is what the youngsters always say. They say that instead of working for eight or nine hours from morning till night as a Munsif it is better to earn Rs. 100 or Rs. 150 with comparatively little work.

36053. Do the Pleaders do comparatively little work?—Yes. I am giving you the honest opinion of some of the youngsters at the Bar.

36054. What other careers besides the Bar are open to them in the Central Provinces?—I could not suggest any other profession they could take to.

36055. If a young B. A. comes to you and asks your advice, what profession do you suggest to him?—Until now I have been advising him to enter the Law, but finding that the field is getting crowded I advise him to go to the Commercial College or to some technical special branch.

36056. Does he take your advice?—One or two have done so.

36057. Is there a career there for these young men?—Yes.

36058. In answer to question (6) of the Provincial Civil Service you have recommended that special consideration should be given to certain families owing to their hereditary traditions of past services to the Administration. I have heard it said in private conversation that there is no record of a man's service in the Administration. Do you endorse that?—I could not positively say, but there are many officers who must know the past history of the family.

36059. But supposing the good services were done three generations ago, what has he to show then?—People can easily be asked to recommend the family, and full information can be given to the Administration. If it is a respectable old family there may be good friends of that family in the Services, and they may be able to give full information.

36060. Of course if it is a very old family it has no doubt some *firms*; but are there any such *firms* given by the present Government?—No.

36061. (*Mr. Madge.*) You have set your heart on securing simultaneous examinations, but do you think that in the present state of Indian education you would have any successful candidates, for some time?—I hope that there will be successful candidates, and if restrictions and limitations are not imposed, and equal chances are

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given to the Indian students along with the students appearing in England, there will be.

36062. What restrictions and limitations can you expect if the system is introduced as a public necessity?—Then I have nothing to say.

36063. Do you think that under the present state of Indian education there would be many or any successful candidates?—I think there will be, but I cannot say there will be many. In course of time probably the system will develop as elaborate a machinery for preparing students in India as it has in England.

36064. I put the question because in reply to the fear that the Service would be swamped many have told us that for a long time there would be no successful candidates at all, but that the thing is demanded because it would satisfy a certain sentiment in the country. You do not agree with that view?—I do not believe in the argument that the Service will be swamped, because I think we should feel confidence in the capacity and ability of English students to compete with Indian students. They will hold their own against the Indian students, and I feel confident in their ability and capacity to do so.

36065. It is thought necessary by a great many people that a strong British element should be maintained in the country?—I quite agree with that.

36066. On the other hand fears have been expressed that the proper proportion, whatever that may be, of the British element would be reduced by simultaneous examinations, and it has been said on the other side that it would not be, because there would not be many, if any, successful candidates. What is your opinion on that point?—I do not think the Service will be swamped. If it should happen that it is, arbitrary checks can be put upon it and the percentage can be regulated.

36067. But I thought from what you said about the imposition of restrictions and limitations you would rather object to arbitrary checks?—No. So far as the examination goes I would like to have the same papers in England as here.

36068. You do not think that such examinations in this country would react unfavourably on education generally, considering the present tendency of working up for examinations rather than for education?—I do not think so.

36069. You would have still the open door in London?—Yes, of course.

36070. Do you think that candidates should be sent to England early or late in life?—I have given the ages, from 22 to 24.

36071. You do not share an opinion that has been expressed that it would be better for men to go much later in life when their faculty of observation is developed, than to go at the comparatively early age you mention, when they are more impressionable and may be evilly affected by conditions alien to their own social system?—No.

36072. In answer to question (62) you say a quarter of a century ago the Indian Civil Servant was really the father of his people, not only of the lower classes but also of the higher classes committed to his charge, and you also say there has been a great increase of litigation in recent

years, each case being contested as it were to the bitter end. To what cause do you attribute this great change?—I think that is due to the people having begun to understand their own legal rights as well as their improved, or deteriorated, condition, as the case may be. Probably it is due more to their acquaintance with their legal rights. In the old days people did not like very much to enforce their rights in Courts, and they either waived their rights or compromised; but now-a-days they enforce their rights through the Law Courts. There is a tendency that way.

36073. But the proper appreciation of your own rights need not lead to your doing wrong. You can hardly think that the fighting out of a case to its bitter end is of necessity a right thing to do. There must be a cause to promote this influx of litigation?—I could not say what the real cause is, but that is what I understand it to be.

36074. We have had it said that we are going along too fast. You do not think the reign of Law is being introduced too fast in substitution for the state of things when the civilian was the father of his people?—No.

36075. (*Mr. Fisher.*) You propose to put the Munsif into the Provincial Civil Service and you would also wish to see the Tahsildar in the Provincial Civil Service?—I should like that.

36076. Do you think the Tahsildar ought also to change his name for some more convenient appellation?—I am not very particular about it.

36077. He can keep his name?—Yes, so long as he gets the salary. On the Bombay side he is a Mamlatdar and here he is a Tahsildar. He has to be called something.

36078. (*Mr. Sly.*) In answer to question (38) you have given us a list of posts which you think could with advantage be listed as reserved for the Provincial Service. Do you think that that is the most suitable method of meeting the aspirations of the Provincial Service officers, or do you consider that instead of listing particular posts it would be a suitable solution to promote Provincial Civil Service officers into the Commission and allow them the ordinary privileges of Commission officers?—I should like them to be regularly listed. Your suggestion would be dependent on mere chance. The posts should be listed and reserved specially for the Provincial men.

36079. I do not know quite what you mean by depending on chance. Supposing instead of listing certain definite posts it was stated that a certain proportion of Provincial Civil Service officers should be recruited into the Commission. They would start either as Deputy Commissioners or District Judges, and would be on the same list, with the same pay, the same privileges, and the same chances of promotion as the others, and would go up in the ordinary way. Do you think that would be an alternative preferable to listing individual posts?—No, I do not think it would be preferable.

36080. You prefer to have certain definite specified listed posts outside the ranks of the Commission?—Yes.

36081. In regard to your proposal to place Munsifs into the Provincial Civil Service, will not that lead to difficulty in regard to the position of Tahsildars?—I have considered the question and I think if the two Services have been

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separated altogether I do not see why the difficulty in the way of the Tahsildars should in any way stop the progress of the Munsifs in the Provincial Civil Service.

36092. But in that case you would have a Munsif a member of the Provincial Civil Service, but a Tahsildar, of similar pay and at present of similar official status, would be a member of the Subordinate Civil Service?—In my opinion he ought to belong to the Provincial Service.

36093. A Tahsildar also?—Yes. It would be no argument to say that because a Tahsildar cannot be a member of the Provincial Civil Service therefore a Munsif should not be made a member.

36094. If you put Tahsildars into the Provincial Civil Service what becomes of Naib-Tahsildars; do you want to put them in too?—I think that is beyond my scope.

36095. You have not considered that?—No.

36096. In another answer you have suggested that Provincial Civil Service officers should be exchangeable with Clerks of Court, etc. Do you not think that would create difficulties in regard to exchanges between the Ministerial Service and the Provincial Judicial Service?—That would be only a matter of training purposes.

36097. But if you put Provincial Judicial officers into the post of Clerk of the Court, do you not damage the prospects of the Ministerial Service?—It would have that effect.

36098. Do you recommend, as a compensation, that Clerks of the Court should be brought into the Provincial Judicial Service?—No.

36099. Then the benefit that would accrue to the Provincial Service would be at the expense of the Ministerial Service, would it not?—I anticipated this difficulty, but no solution suggested itself to me. It is a difficult point to solve and I would not venture to give any answer.

36100. (Mr. Standen.) You told Sir Theodore Morison that you thought a good many members of old families might not be able to produce any record of the services of their people; but were not certificates of good service given on important occasions, such as the Proclamation of the Queen as Empress of India, the Durbar at the Accession of King Edward VII, and at the recent Durbar of 1911?—Yes.

36101. Is it not the case that if you find any old family that has rendered good military service they always have copies of papers, generally printed copies, of their services rendered?—Yes.

36102. Do you think that if the posts in the Provincial Service of Bombay were thrown open to residents of the Marathi districts of the Central Provinces and Berar, the residents of those districts would feel it any hardship if Bombay men were allowed to compete for the Central Provinces appointments?—I think restrictions have been imposed.

36103. They are imposed at present, but do you think any hardship would be felt if recruitment was made mutually from the two areas?—The people of the Province would suffer.

36104. But supposing it were by competitive examination, do you think they would suffer?—I am against introducing any competitive examination.

36105. Even for the Provincial Civil Service?—Yes.

36096. (Mr. Thakur.) Have you properly understood the difference between the graded service and the time-scale?—I suspect I have not understood it properly.

36097. By the time-scale an officer who had passed a certain amount of time in one grade would be entitled to enter into the next grade. Would not that system do away with the congestion of promotion in the Provincial Civil Service?—Yes, I think it would.

36098. If that removes the block in promotion, would you prefer the time-scale to the graded Service, unless, of course, there is some better method advocated?—I would be in favour of a time-scale in that case.

36099. Have you any suggestion to make by which the graded Service can remove the block in promotion?—I hope it will remove the block to some extent.

36100. A time-scale will, but supposing the graded Service is kept can you make any suggestion by which the block in promotion will be done away with?—I have already proposed more posts in the grades from Rs. 500 to Rs. 800, and also in the lower grades: That will to a certain extent relieve the block. The other remedy will be a time-scale, I think.

36101. But if officiating promotion from one grade to another is allowed, will not that remove some of the block in promotion?—Certainly it will, but the person officiating ought to get the emoluments.

36102. If the graded system is retained you consider there should be officiating promotion from one grade to another?—Yes.

36103. In speaking about pension you said that when the pay is increased the pension will naturally increase. Is there not a certain maximum of pension?—Yes.

36104. Do you not think that if the pay is increased the maximum pension also should be increased?—Certainly.

36105. If your Service has another grade of Rs. 1,000 added to it, what maximum pension do you think it should get? What is the present maximum?—Rs. 5,000.

36106. At present your maximum pay is Rs. 800?—Yes. The pension ought to be Rs. 7,000 at least.

36107. Would you be satisfied with half the higher grade pay?—It all depends upon the position of the pensioner. If a gentleman occupies the position of a Sessions Judge, and is to be restricted only to a pension of Rs. 5,000 a year, it would not suit his position. He ought to have more, and I think some change is necessary to that effect.

36108. Your dislike of the term "Munsif," I suppose, is on account of the association of the idea of inferiority with the name?—Yes, mostly.

36109. And you have in view the Bombay nomenclature, where the Subordinate Judges are in the Provincial Civil Service?—Yes.

36110. You would like to have Subordinate Judges of the first grade and Subordinate Judges of the second grade instead of Munsifs?—Yes.

36111. In view of the listed posts being open to the Provincial Civil Service, do you not think that if appointments are made to the Rs. 200 grade, unless there is some special promotion, the officer will reach too late the post of District and Sessions

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Judge or Deputy Commissioner?—Yes; I do not think he will ever reach the position.

36112. What remedy would you suggest to enable them to reach the listed posts at a comparatively early age?—Special selection I think.

36113. In one of your answers you propose that Munsifs should be appointed Clerks of Courts for the sake of gaining experience. Do you think that a Munsif as a Judicial officer will not object to being appointed to a Ministerial office? Is there anything derogatory implied in that?—There is, but it is just the same when an Indian Civil Servant is appointed a Subordinate Judge or made to do the work of a Munsif. That is only for training. To some extent it is derogatory, but it is only for the purpose of training the officer, and is intended to be an advantage to him when he holds the position of a District Judge. If in the earlier part of his service he is given the advantage of that experience I think he will turn out a better District Judge.

36114. Do you not think when an officer doing Judicial work is made to take a Ministerial appointment there would be something derogatory in it?—I do not mean he is to take a Ministerial appointment, but only to pick up the duties.

36115. He would still remain a Munsif in his appointment?—Yes.

36116. Cannot he pick up the duties by looking after the ministerial work of the Courts?—That only forms part of the general work. I mean the office work.

36117. By being put in charge of Ministerial Departments at certain intervals it would make him learn the work at headquarters?—That would be another method.

36118. Which would you prefer?—The one you have just proposed.

36119. You were appointed direct to the Provincial Civil Service?—Yes.

36120. How long did you take to reach the present grade?—Twelve years, and I have been in the Rs. 400 grade since 1907.

36121. Were there any re-arrangements of the Service during this interval?—Twice; that is why I got the chance.

36122. That accelerated your promotion?—It did.

36123. Do the Munsifs that have now been appointed expect to get the comparatively rapid promotion you have been fortunate enough to get up to now?—I do not think so.

36124. You have spoken of the strain of the work. When do you go to Court?—We start at 10-30 and begin at 11. After office we work for an hour or three-quarters of an hour by taking up case-work.

36125. When do your Courts close?—The time for closing is five, but to wind up business in the evening we have to work until twenty minutes past or even half-past five.

36126. How is your time in Court occupied?—In recording evidence and taking statements mostly. We can hardly do any other work.

36127. In these Provinces a Judge has to record the statements of witnesses with his own hands?—Yes.

36128. Has he to interpret it also to the witnesses?—It has to be interpreted.

36129. In order to certify its having been done?—Yes.

36130. Does this system take a good deal of time in Court?—Very much more time than it ought to take.

36131. Does it not tire the Judge to be writing for six hours taking down evidence?—I should use the word "exhaust" him.

36132. In the United Provinces the Judges simply take notes and the *verbatim* evidence is recorded by a stenographer or reader. Would not that save time and labour?—Yes; I proposed it to my Judicial Commissioner and I think it would be acceptable. That system gives much relief to the Judge and ought to be accepted in these Provinces.

36133. Will the record be as reliable as it is now?—I should say more reliable.

36134. Will the evidence be recorded better than by the Judge?—Of course.

36135. After Court hours have you also to do Judicial work?—Yes, night and morning.

36136. What work do you do?—Judgment and Order work.

36137. Do you not find time to write judgments in the Court hours?—Hardly ever, unless we reserve certain days of the month for judgment work.

36138. Is it possible for you to reserve such time in any month?—On a very few days; hardly ever.

36139. What part of your time at home is occupied in writing judgments?—From 9 o'clock to 12 o'clock at night. Not every night, but most of the nights of the month, or even 12-30. In the morning we work from 7 to a quarter to 10.

36140. Do you consider this easy work?—Far from it. It is very hard work, and that is why I have put my answers in a more emphatic manner. The work is very hard, and I have recommended a certain percentage to be added to the list already prepared by the administration. The number of Munsifs and Sub-Judges, and higher grades also, should be increased by 25 per cent.

(The witness withdrew.)

MORO RAJAHAM DIXIT, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

36141 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as

generally satisfactory in principle?—Though ideally not the best, it is practically the best test. For selection however carefully made must necessarily carry with it to a great extent the accompanying evils of favouritism and partiality. Besides, a system which has worked so satisfactorily for the last 60 years cannot be assailed on

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the ground that competition fails to test the character and administrative abilities of the competitors. It must be an exceptional piece of chance that the selected candidates have so far been of good qualifications in the above unexamenable characteristics. The system of recruitment by open competition I heartily approve of.

36142 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—This reply includes replies to questions (3) and (6). The system is faulty in that it is by competition only in England. I would recommend simultaneous examinations in England and India with the same papers, the same examiners, and a combined list. The one unfortunate result of the present system is the shutting out of the bulk of Indian talent. Indian talent has been proved to be as good as any other talent in the domain of the liberal arts and sciences. Poverty and talent are generally so fond of each other that it is only in exceptional cases that the one is divorced from the other. Besides this, the unwillingness of many parents to take risks about the chances of their boys' mental or social careers, and the peculiar dread that the majority of Indians have of their pet ones getting addicted to certain vices, *e.g.*, drinking and meat-eating, are also greatly responsible for the extremely rare number that appears for the open competition in England. Indians have been uniformly complimented on their reputation for passing examinations. And consequently a great deal has been recently heard about the swamping of the Indian Civil Service by the Indians. My own impression is that even with extended facilities for higher education, Indians cannot swamp the field to any appreciable extent. Moreover, on general grounds, Indians have a right, at least in India, to represent the Civil Service to an equal extent with the Britishers. Of course, we can never claim, situated as we are, even the semblance of a right to offices in other countries. Under these circumstances, from the Indian's point of view, a complaint and fear of being swamped by the Indians comes awkwardly from the Britishers.

36143 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—*Vide* reply to question (2) *supra*.

36144 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services, with that for the Indian Civil Service, is or is not to the advantage of Indian interests? Please give your reasons?—The combination was at one time no doubt for the benefit of India's interests as it enabled the choice to be made from a larger circle. But considering that sympathetic administrators and officials alone can make the British rule permanent on the foundations of contentment and good-will of the Indians, I think it undesirable that the Indian Civil Service should be recruited from those Colonies which display a marked prejudice against the Asiatics or more especially against the law-abiding and peaceful Indians. Even a small admixture of these Colonials in the Civil Service will very soon affect the whole body with this unwholesome spirit, and

thus the realization of the ambition of the British Government—a consummation devoutly to be wished—would be farther removed than ever.

36145 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—*Vide* reply to question (2) *supra*.

36146 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of a separate examination, as it will tend to accentuate invidious distinctions, which should be avoided in the interests of good government.

36147 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

36148 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—We have it from members of the Covenanted Service that junior members of their service with no knowledge of law are appointed to sit in judgment on appeal on the work of the Provincial Service men of even twenty years' experience: we have it also that the Indian Civil Service officers are left to pick up their knowledge of law as they go along: also that these officials are out of touch with the Bar, with whom the British system requires them to work in co-operation. Several of these officials have even advocated that the Indian Civil Service officials (in the judicial line) should be given study leave out of India, supplemented by extra money allowances to enable them to read in chambers or even to get called to the Bar. This evidently argues a fixed determination, amongst some of these officials, to get every kind of work done through the Indian Civil Service and Indian Civil Service alone. The Judicial Branch is, like the Public Works Department or the Medical, a technical branch: and mere general competency is not sufficient to discharge judicial duties without sound knowledge of law. Without entering into the fierce controversy that raged about the comparative merits of the Barrister and Civilian Judges, I would strongly recommend for the sake of more efficient administration of justice the recruitment direct from the Bar and by promotions from the Provincial Civil Service, 50 per cent. from each of the above sources. I should, however, expect a leaven of British element at the very top in this line. The arrangement suggested above will have the additional advantage of satisfying the legitimate demands and aspirations of the educated Indians.

36149 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any persons born and domiciled within the

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Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The word Native is not *per se* at all unpleasant. It is the abuse of the word that is responsible for much of the irritation that is caused. Any other word substituted for this would very soon acquire the secondary and distasteful meaning. What is in a name after all. The word Native of India should in my opinion be so defined as to include people of mixed or unmixed Indian descent. This definition will have the advantage of excluding that class which, for the privileges and advantages concerned, calls itself Statutory Native, but otherwise strongly resents the appellation.

36150 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About 25 years.

36151 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—21 to 23 years. Placing it earlier would be disadvantageous to the Indians. No differentiation in ages is necessary or advisable.

36152 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would suggest the addition of the vernacular languages of India as subjects for the open competitive examination. As it is, French, German, Italian are given 600 marks each, so Hindi, Marathi, Bengali, Tamil, Telugu and Persian should be added, with a proviso that not more than two of these vernacular languages could be taken up by any competitor. Sanskrit and Arabic should have more marks assigned to them to bring these in a line with Greek and Latin. Indian History should also form one of the subjects, as its importance cannot be too exaggerated for those who are destined to rule over India.

36153 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No.

36154 (18). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might, under present conditions, properly be admitted?—Yes. Pure ideas of philanthropy have never ruled in the domain of practical politics. But as far as History can show us, *e.g.*, enfranchisement of the slaves, we know in our heart of hearts that the British are the only nation that will put into practical politics at least some ideas of philanthropy. Should the Government so

desire, a fixed minimum should certainly be conceded if only as a visible symbol of British sovereignty. The exact percentage is a matter of great complexity.

36155 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—That part which is recruited by special arrangement in India has so far worked satisfactorily. But the proportions fixed have never been realized. For out of 104 we have only 5 Indians (including Berars). In Central Provinces out of 93 we have only 2 Indians. But the best intellect amongst the middle and poor classes have not under this system reasonable chances of getting into the service. The principle, however, is distinctly satisfactory, and for this we Indians are grateful. If the number of such prize appointments is increased, it will attract many able men into the Provincial Service; the promotions should, however, be made a little earlier than now.

36156 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

36157 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The proportion may be increased to one-third.

36158 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

36159 (27). Is the class of posts listed suitable?—Yes.

36160 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The system has so far given Indian members as good as the European members of the Service. Looking at this subject from every point of view I find the Indian Civilian better behaved towards the Natives of India than many European members of the Service, the efficiency of the administration being maintained in either case at the highest level. Of course, even amongst the European members of the Service there are a few officers who are in every way as good as, if not better than, the Indian members of the Service.

36161 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service? Yes.

36162 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No, except for the European members of the Service, who should be trained in one vernacular at least.

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36163 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Two years' probation. I should strongly suggest the formation of a central training institution, located either at London, Cambridge or Oxford, for the probationers. This institution would be the means of engendering good feeling between the officers and would be of advantage to both Europeans as well as Indians. Given a common residence, common studies, and common ambitions, there is bound to be more feeling of mutual respect and esteem between them. The period of probation now spent at a 'Varsity cannot, I believe, be properly utilized. For, as has been well said, they are in the 'Varsity but not of the 'Varsity. They are looked upon as a sort of superior persons even in the 'Varsity, and in the nature of things have nothing in common with the ordinary under-graduate. The above scheme will have advantages—for the Indians in that it will familiarise them with British character: for the Englishmen in that it will acquaint them with the Indians' manners and customs.

36164 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

36165 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

36166 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. There is no doubt a serious attempt made on the part of the Indians to meet the difficulty. But no corresponding effort is generally made by the members of the Service. The causes of this deterioration are:—(a) facilities for spending leave out of India; (b) greater knowledge of English by more Indians; (c) the generally exclusive lives led by officials in their own atmosphere—characteristic of the 'Varsity type of Englishman. But latterly amongst the minority of the officials a change is certainly noticeable and attempts are being made, e.g., by starting of mixed clubs and the National Indian Association; but being in the initial stages, it is not possible to know how far they would achieve the object. The knowledge of vernaculars should be encouraged by higher prizes, stricter departmental examination, and by making promotions dependent upon such examinations.

36167 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—No.

36168 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

36169 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such a abolition apply to officers already employed or be restricted to future entrants?—Have not studied the subject and therefore am not prepared to venture an opinion.

36170 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—About the pay given to Indians, I am afraid that amongst the educated classes at least the general standard of life has gone high. The Indians have generally to keep dual establishments, and dual expenses to suit their position in life both amongst the Indians as also the Europeans. There should therefore be no differentiation in the rates of pay. The joint Hindu family is a decidedly worse drain on the slender purse of the Indian than relations in England can be to the European Civilian.

Written answers relating to the Provincial Civil Service.

36171 (51). Please refer to Government of India Resolution No. 1048—1058, dated the 10th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions are quite satisfactory except in two particulars. *Rule 6.* The general prospects of the average Provincial Service man are not at all attractive to pure Europeans of the right stamp. Besides, the advent of a European naturally raises a fear of the blocking of promotions and prize appointments to the men in the lower rungs of the ladder. *Rule 8* is more honoured in the breach than the observance.

36172 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—Reply to question (56) is also included in this. The present system is one of nomination pure and simple. Nominations generally are open to the suspicion of unconscious bias. Since 1903, within the last ten years, I find in our provinces in the Extra Assistant Commissioners, altogether 59 appointments made, 45 being promotions from the subordinate services and 14 being direct appointments. Amongst these direct appointments

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there are only four with any legal qualifications at all. I wonder if the non-inclusion of legal qualifications is due to the wrong impression that legal training weakens executive action. Considering that criminal cases are mostly tried by Extra Assistant Commissioners, legal qualifications at least as far as the direct appointments are concerned should be insisted upon. Besides, it cannot fail to be observed that the promotions from subordinate services are invariably from men with no legal qualification whatsoever. In the 45 promotions mentioned above, 26 are not even graduates in arts, only three being law graduates. In the Subordinate Judges there have been altogether 16 appointments within this period, 13 being promotions and three direct appointments. I would, therefore, suggest in the first place:—that for the Provincial Judicial Service, whether criminal or civil, the recruitment should be half by competition and half by promotions from the lower services. As far as purely executive officers are concerned, I would leave the selection to be made as at present with the proviso that law graduates should get preference; for knowledge of law brings a certain fair and impartial training and a respect also for the constitution. Coming to the details I find the Provincial Civil Service commences on the

Civil Side.		Criminal Side.	
	Rs.		Rs.
Sub-Judge 17 at	300	El. A. C. 12 at	200
Do. 17 at	400	Do. 14 at	250
District Judge 5 at	500	Do. 24 at	300
Do. do. 5 at	600	Do. 24 at	400
Do. do. 3 at	700	Do. 14 at	500
Do. do. 2 at	800	Do. 6 at	600
		Do. 3 at	700
		Do. 2 at	800

The Rs. 200 and Rs. 250 grades in Extra Assistant Commissioners are anomalous, as the Tahsildars, their subordinates, draw pay up to that extent. The point one notices in this is the larger number in the corresponding grades of the Extra Assistant Commissioners, which necessarily means rapid promotions, whereas in the Civil Departments promotions, it is well-known, are blocked. In the Punjab, where the number in the Judicial service is the same as in our provinces, there are 12 at Rs. 500 while we have only five. In Burma it is eight at Rs. 500. I would strongly suggest our number in the grades increased. For it is a notorious fact that our Civil Judges are overstrained, many of them in ruined healths and shattered constitutions, the result of excessive sedentary occupation. I would also suggest that the District Judges grades should go up to Rs. 1,000, as also the Extra Assistant Commissioners. The small number of posts in the higher grades, and the slow promotions consequent to that, actually discourage persons from entering the services, unless prospects of promotions are facilitated. This is only feasible by a time-scale of promotion, say an increment of Rs. 25 per month per year.

36173 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36174 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The principle of class representation is no doubt very alluring. But it is not advisable in the interests of good government to mar the efficiency of the service by making any arrangements for giving them a definite share. The influential minorities should most certainly be encouraged and trained by a judicious sprinkling of scholarships, as also by preferring the duly qualified amongst them for direct appointment. With this end in view I would reserve the power to nominate one-third vacancies every alternate year—in which case one-third would be by competition, one-third by promotions from the lower services, and one-third by nominations.

36175 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—Please refer to question (52) *supra*.

36176 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The civil as distinguished from the other work is done by the judicial branch. The selected few in Rs. 500 grades or above do some sessions (criminal) work. The point I would urge is that the judicial branch should be given the criminal work also. For otherwise it is not fair to expect criminal work of a superior character from persons who have acted merely as sub-judges. Revenue and criminal work need not be mixed up as it is at present. I would therefore advocate the separation of judicial and executive services, the judicial services being under the "High Court."

36177 (58). Are you satisfied with the present designation "The Provincial Civil Service"? If not, what would you suggest?—Nothing in the name.

36178 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Service as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I am afraid the principle of supply and demand ought not to be brought into play in fixing the salaries. The Provincial Civil Service forms a responsible part of the Government machinery. Its members have a certain well-recognised status in society and they have to live up to that standard. The standard of living has gone up. The value of the rupee is nearly half of what it was. The salaries fixed in 1886-1887 are quite insufficient to keep up their position, much less therefore to lay by anything for the education of their children. Besides, the joint Hindu family system works such a havoc on the slender purses of these Provincial Service men. The status which the officer occupies in the public eye, the life which men of his position are expected of him, ought to govern the salaries.

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Mr. M. R. DIXIE called and examined.

36179. (Chairman.) Would you tell us what public offices you have held?—I have not held any public offices; I have been a representative of the graduates in the Local Municipal Corporation for the last two or three years.

36180. You favour a system of simultaneous examinations?—Yes.

36181. But you would, if necessary, allow for a European minimum?—Yes.

36182. I take it by your proposal, therefore, if the minimum were introduced, you would advocate an examination in India at the same time as the one in England?—Yes.

36183. Would it be precisely the same examination you would advocate in the event of a minimum being introduced?—Absolutely.

36184. Would you object, in the case of the examination in India, to nomination prior to the examination?—I do not think I would recommend nomination in any form.

36185. Would you leave it open as it is in England?—Yes.

36186. You complain in your answer to question (11) that Civilian Judges do not know enough Law. If they had a regular training in Law from the outset would that meet your objections?—When there is plenty of qualified material already available, why should the State go in for the expense of training a particular class of persons for a particular department? It is an additional expense to the State, especially when there is no complaint of the dearth of legally qualified material for the Judicial posts.

36187. From whom would you like to see the Judicial Branch recruited?—As I say, either from the Bar or by promotion from the Provincial Civil Service, 50 per cent. from each source.

36188. You would not have any recruited from the Civil Service?—I think the Civil Service is really meant more to keep up the British tone in the administration, and its proper function would be more on the Executive side than on the Judicial. On the Judicial side it is admitted that there is no need for resourcefulness, pluck, courage, or any of those qualities which are inherent in the British race, and consequently the question of the minimum of Indian Civil Servants in Judicial posts does not really arise. On account of questions of general principle it is only a trained Lawyer that should administer Law, and not laymen.

36189. In your answer to question (32) you point to certain defects in the University career. Were you at one of the English Universities?—Yes. I had the pleasure of being at Cambridge for about 3½ years.

36190. Could you give us the experience upon which you base your remarks in your answer to question (32)?—In that answer I am speaking about the probationers for the Indian Civil Service. As far as the average undergraduate is concerned I think he spends there the best period of his life; but as far as the probationers of the Indian Civil Service are concerned I think they are undoubtedly looked upon as a superior

sort of persons by the average run of undergraduates or graduates in the Universities. For one thing, most of the undergraduates in the Universities cannot afford to go in for some of those expensive luxuries, such as riding and other things, which the Indian Civil Servant has as a matter of course to go through. It costs a great deal, and the average undergraduate is not able to afford it. Then in their associations and cliques they are quite separate from the ordinary University undergraduates or graduates.

36191. So that on the whole you do not favour the period of probation being passed at a University?—No, I do not. I do not mean any disrespect to the Universities, but the education that is really required for an Indian Civil Servant to enable him to get through the open competition is certainly far different from the ordinary general education that a University undoubtedly gives.

36192. Where would you like to see the probationer go through his period of training?—I have suggested a central residential institution either located at Cambridge or Oxford, so that the halo and romance of the older learning may still be there, and the atmosphere thoroughly saturated with education. Residing together, having common ambitions, common studies, there is the more likelihood of good feeling between the two communities, with Indian members and European members there together. As a matter of fact in the Universities in Cambridge there are about 2,000 or 3,000 students per year, and one can find one's own clique and set, and perhaps two Civil Servants destined to serve in the same part of the country may never meet during the whole two years there, except for certain lectures which they have to meet at. Consequently I think a common residential institution, located wherever you like, would be certainly preferable.

36193. We have had it put to us by witnesses that a central establishment such as you describe might have a narrowing effect on the probationer, and that the atmosphere would be somewhat restricted as compared with the atmosphere of the University. You do not apprehend that?—I believe in that a little too. For that purpose I specially say it should be either at Cambridge or Oxford, because the halo and romance will be there and the atmosphere will be saturated with education; so that the narrowing effects will be to some extent compensated for by the atmosphere in which they are living.

36194. Your central establishment would be situated in one of these places but would not be in any way attached to the University?—No, it would not be attached, but I believe that environment counts for a great deal.

36195. Then you say that the Civil Judges are overworked in this Province?—Yes.

36196. Have you had considerable experience?—I have been a practitioner in Nagpur for the last ten years, and I have met about six or seven District Judges who happened to be posted to Nagpur, and I believe amongst the

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Provincial Civil Service it is a well-known fact that there could not be a worse punishment than being posted to Nagpur as a District Judge.

36197. Is that because the work is so heavy?—Apart from that. There are only two tests by which you can judge if a man is overworked or not. I do not refer to their health, because they may be suffering from an organic complaint which they may have acquired apart from their work, but whenever I go to visit these people, sometimes in the morning and sometimes in the evening, I find them not as a rule at their regular recreation clubs but always busy with their judgments. They are not social; they cannot afford to be social, because the time at their disposal is absolutely limited. The other test that I apply to this overwork is the duration of the adjournments that they give. Supposing my case is fixed for hearing by the District Judge to-day, and that for some reason the case has to be adjourned, if I get a six months' date I know his file is congested for the next six months. That shows the condition of the file of that particular Judge. Having regard to these tests, I am inclined to believe that they are really overworked.

36198. So that you agree with other witnesses who have come before us that there should be an increase in the staff in the various grades?—I think so.

36199. You would say that the increase should amount to as much as 25 per cent.?—I would not fix a percentage, because I am afraid I have no ambition to get into the Service at all and I have never had any, and consequently I have not thought it out in detail.

36200. No doubt you could give us an opinion without having that ambition?—As far as the appointments are concerned, I think we had it from Mr. Stanyon, one of our highest Judicial authorities, that the work which a Judicial Commissioner could possibly turn over would be on the average one or two cases a day. That is second appellate work in which the Judge has not to do very much in the shape of writing except the judgment itself, and hearing the arguments. As far as the ordinary Subordinate Judges are concerned, I find that the test of efficiency nowadays laid down is the number of disposals of cases they can show. That of course deteriorates the quality.

36201. But apart from that, what is the number of disposals an average Subordinate Judge has to show?—It is about 30 to 32 cases, and even 40 in some instances, per month, which I think is exorbitant. You cannot have good quality coupled with quantity.

36202. You also suggest improved conditions for the Provincial Civil Service. Do you suggest that with a view to inducing a better class of officer to come into the Service or to give better prospects to those who are already in the Service?—To maintain a Service at its very highest level of efficiency you must have the willing co-operation of its members. Once they get, rightly or wrongly, a feeling or impression that their pro-

motions are really very slow, and that it is hardly worth while to remain in the Service when they have no chances in life, then their work is bound to suffer. If the chances of promotion are very slow, and promotions are blocked, it is impossible to expect a high state of efficiency in the Service. It is unnatural for a man to put in efficient work when he has that feeling in his head all the time.

36203. You think that a time-scale would be the best means of removing this block?—Yes. I have worked out certain statistics, but I will only mention one instance. A Munsif, who is the lowest in the grade at present, very recently taken into the Service, gets Rs. 125 or Rs. 150 as substantive pay. The prospect of the last Munsif of the fourth grade is that he will go into the Rs. 175 grade in 1924. He joins the service on the 10th November 1910, so that from that time he has to wait 14 years before he can expect Rs. 25 promotion in the next grade. Then he will take four years more to go to the Rs. 200 grade, and two years more to go to the Rs. 300 grade. That takes him from 1910 to 1932, or 22 years. I certainly think that no person with any reasonable ambitions in life will ever care to get into the Service or put in honest good work if he thinks that in 22 years the only promotion he can expect is Rs. 125. I have worked out the statistics for every person in every grade of Munsifs as well as Sub-Judges, but I do not think it is worth while troubling you with that.

36204. Do you agree with the proposal which has been made that Munsifs should be included in the Provincial Civil Service?—With regard to that there is one fact that I must beg permission to put before you. The Provincial Civil Service is really supposed to start from the Sub-Judges and go up to the District Judges, rising from Rs. 200 to Rs. 800. By some rule or other it has been definitely laid down that no direct appointments can be made to the Provincial Civil Service at all. By some legal means a subordinate grade has been added on to the Provincial Civil Service and the Munsif is in this particular grade. I certainly think that if the Provincial Civil Service was created by the last Public Service Commission as some sort of recompense to the legitimate aspirations of the Indians, to form a *corps d'élite* for the Indians, it is hardly fair that a man with a better training should be asked to start at Rs. 125 or Rs. 150, with a chance later, however remote it may be, of getting promoted to the Provincial Civil Service. The rule which says that no direct appointments should be made to the Provincial Judicial Service strikes at the very root of the matter. Whether the Munsifs are promoted to the Judicial Service or not does not matter to me because I am not particular about nomenclature, but I certainly think there should be no last grade not recommended by the Public Service Commission to the Provincial Civil Service; that is why I suggest the Munsifs should go up to the Provincial Civil Service.

36205. And to how much should their salaries be raised?—To Rs. 200.

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30206. You suggest that the Criminal work should be given to the Judicial Branch. Would not that entail a considerable increase in expenditure?—I have been trying to work out the statistics myself as far as two or three of the Districts of these Provinces are concerned, but the figures available are so meagre that it is impossible for a nonofficial to work the statistics out. The only figures I could get was that 80 per cent. of the Criminal work is done by the Honorary Magistrates. Therefore there remains 70 per cent. of Criminal work to be got through. For that purpose we have Extra Assistant Commissioners, some exclusively devoted to Excise and others doing half Executive work and half Judicial work; so that if it means an increase at all it will mean an increase, as far as the Nagpur District is concerned, of about three Extra Assistant Commissioners, or three Subordinate Judges, and that would mean Rs. 600. If the functions were really bifurcated we should want an addition of two, or three at the most, per District, of Sub-Judges or Extra Assistant Commissioners, and that would cost about Rs. 400.

30207. (Sir Murray Hammick.) These statistics that you have worked out with regard to the promotion of Munsifs do not quite correspond with what one witness told us, that in the Judicial Service a Munsif hardly ever lives to get his pension, that almost all of them die long before that. I suppose if that is the case the Munsif you refer to will get his promotion a little quicker than you calculate?—As far as the Munsif whose instance I mentioned is concerned, he is a friend of mine and I do not think he will be living when he should be getting Rs. 250.

30208. It is very difficult to prophesy accurately as to when a person is going to get into another grade. Very often your prophecies are made false by sudden deaths and sudden retirements and so on. I do not think we can place any very great reliance on statistics as to the future promotion of Munsifs. You propose in your scheme for the Judicial Service, whether Criminal or Civil, that the recruitment should be half by competition and half by promotion from the lower Service, by which you mean from the Munsifs I suppose?—Yes.

30209. Into the Sub-Judges' grade?—Yes.

30210. Then you say that as far as Executive officers are concerned you would leave the selection to be made as at present, with the proviso that Law graduates should get the preference. Why do you wish to have competition for the Judicial Service, and no competition for the Executive?—The Executive Service is supposed to maintain the prestige of the administration, and consequently from the Englishman's point of view, or the administrative point of view, they would like to have nominations for the Executive Service, and I am prepared to concede it as a compromise.

30211. I do not understand how nomination will give you greater prestige in your Service

than examination. It depends on which will give you the best men. Prestige will come by having a good Service?—Perhaps I was wrong in using the word prestige. You may put it on the ground of efficiency. The Executive Service requires different qualifications for efficiency than the Judicial Civil Service.

30212. And you think that the qualities which you get by examination are more likely to suit the Judicial Service than to suit the Executive?—It is not that. I have mentioned it because the Executive Service has to be governed by a certain policy which may be laid down by the administration or other immediate superiors, and consequently an examination perhaps does not give better material for carrying out such orders, and nomination would therefore be the most conducive to the harmonious working of the Executive Department.

30213. You think that if you recruit by examination for the Executive you would get too independent a body of Public Servants?—That is my impression.

30214. That you would not have proper discipline?—That is so.

30215. You go on to say that you do not think there is a necessity to have any class representation in the Provincial Civil Service. You do not want nomination for that purpose?—Every alternate year I would have one-third by competition, one-third by nomination and one-third by promotion from the Subordinate Service. Class representation as such should never be encouraged. No definite proportion should be fixed, as it would impair the efficiency of the administration, and in the interests of good Government it is not advisable.

30216. Your answer to question (54) is not quite the same as your answer to question (52)?—One is for the Judicial Service. In the Executive I have already said it should be purely by nomination.

30217. Your answer to question (54) relates entirely to the Judicial?—Yes.

30218. You do not propose to bring anybody into the Provincial Civil Service from the Bar?—With the present prospects and present rates of pay no member of the Bar who is worth his salt will ever care to accept the appointment.

30219. With regard to giving Criminal work to Civil Judges, do you think that for a Civil Judge, with the hard work that Criminal cases cause, it would be possible to work an efficient Civil Court under the same head as a Magistrate's Court? Do you think that a Magistrate and a Civil Judge can be efficiently combined in one person?—I think as an experiment they can be.

30220. I have never heard of a case anywhere except one or two exceptional cases in famine time. It seems to me that the fact that a Magistrate has to do such a lot of out-of-door work in connection with Police enquiries and the irregularity of the posting of cases, and so on, would lead to great deterioration in the Civil work?—It is just probable.

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36221. (*Mr. Chaubal.*) I think I am responsible for the use of that expression "Subordinate Judges of the last grade," to which you refer. What you really mean is that the nature of the Civil work done by a Munsif and the nature of the Civil work done by a Subordinate Judge is exactly of the same kind except that the jurisdiction is different?—Yes.

36222. In all other Provinces Munsifs are in the Provincial Civil Service, as for instance in Madras, Bengal, and Bombay?—I did not know that. I have no knowledge of other systems.

36223. Do you know that in Bombay Subordinate Judges of the second class are in the Service?—Yes.

36224. And they begin as here with Rs. 150. Of course I quite admit the claim to be paid higher salaries, in the same way that you are advocating higher salaries for the Judicial Service here, but the great point I think you make is that, looking to the nature of the work, you cannot see any reason why this body of officers should be kept out of the Provincial Civil Service?—Exactly.

36225. With regard to increasing the staff on account of overwork, have you tried to ascertain whether the Judicial Officers here are really more hard-worked than the Judicial Officers of other Provinces?—My experience of other Provinces is confined only to the summer vacation, so that I cannot possibly say how they are worked there.

36226. Is the recommendation you make in question (57) of the Provincial Civil Service questions a mere theoretical recommendation, or is it a recommendation made on account of the actual administration of justice which you as a lawyer have come across?—I advocate it on my personal experience.

36227. If Criminal jurisdiction were given to Civil Judges they would only have two kinds of work to do, Civil and Criminal?—Yes.

36228. At present, as a matter of fact, a Magistrate has half-a-dozen other kinds of duties?—Exactly.

36229. In one case you will be only taking one of his six duties and handing it over to a Civil Judge, leaving him the other five?—Yes.

36230. At present do Magistrates find it possible to dispose of criminal work at stated hours and stated times?—It is not possible.

36231. On account of the other work Magistrates have to do they do find it impossible to take up criminal work at stated times?—Yes.

36232. (*Mr. Macdonald.*) You answer one of the questions by saying that so far as the Executive side of the Provincial Civil Service was concerned nomination might be better than examination?—That is not from my point of view, but from the Administration's point of view.

36233. You were only then expressing what you regard as your view of the Administration point of view?—Yes, and what I should be prepared to concede.

36234. What bearing has that upon your answer to question (1), where you are in favour of

simultaneous examination for the Executive side in the higher Branch of the Service?—There should be a distinction in principle between the Subordinate Service and the Higher Services. The Imperial Service is one with a policy of administration as a whole, whereas there are several subordinate policies for each particular district which have to be gone through in the lower Services, and consequently there is a differentiation.

36235. The mere superficial opposition which came out in your first answer you explain away by saying that the Services are of a different character?—Yes, and secondly in the Imperial Civil Service you certainly get a better trained and better educated men.

36236. When did you leave Cambridge?—In 1903.

36237. I think you said that a student in order to pass the Indian Civil Service examination would require to supplement his University subjects by further studies?—Yes.

36238. You have in your mind now the scheme of the Indian Civil Service examination?—Yes.

36239. And the scheme of the Cambridge Tripos examination?—Yes.

36240. The sort of ordinary examinations that a good student would take in order to finish up at Cambridge?—Yes.

36241. Do you know the Oxford curriculum?—No.

36242. You could not say what the difference is, from the point of view of supplementing studies, between a Cambridge student and an Oxford student, both of whom wanted to go up for the Indian Civil Service?—I know Cambridge and I think the same thing would apply to Oxford also, because the two are sister institutions running on parallel lines.

36243. But you do not know the difference between the two studies, the Oxford and the Cambridge?—No.

36244. (*Mr. Sly.*) With regard to your opinion in favour of simultaneous examination, you have put in the forefront the reason that the present system shuts out the bulk of Indian talent?—Yes.

36245. I should like to know on what ground that opinion is formed, because we have had very varying evidence on the subject. For instance, we have been told by one witness that he thought certainly not more men were shut out by the present system than went home at present, that it really affected a very small number of Indian students?—Personally I think amongst my own class fellows, when I was in the College, there were certain men far superior to me in their attainments who could not afford to go up for the Indian Civil Service. I was sent for it, but fortunately or unfortunately never tried for it. Judging from my compeers in my College I certainly was a second-rate man. If the same state of things happened anywhere else, and I think it undoubtedly happens at many other Colleges, very few people can afford the expensive journey to the most expensive place in the world except New York.

36246. Your opinion is that there is a substantially large number of Indians who would have a chance of success at the examination, but who

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are shut out from appearing by the present system?—Yes.

36247. And that is based on your experience of your class-fellows at College?—Yes.

36248. You express an opinion that even with extended facilities for higher education the Indians would not swamp the Service to any appreciable extent. Although a large bulk of these clever Indians are shut out, yet you consider these, with improved facilities, would not get in by simultaneous examination?—That is reconciled by the sentence I have put in "Would not swamp the Service to an appreciable extent." It depends on what we call "swamp" or "appreciable extent." Of course, as far as the Indian Civil Service is concerned, it would be "swamping" if there were 80 per cent. or even 60 per cent. Indians. Therefore unless I know what percentage would be equivalent to "swamping" and to "swamping to an appreciable extent" it is impossible to reply to the question.

36249. The phrase is yours, not mine?—I quite agree.

36250. Will you tell us what you mean?—I mean about 60 or 70 per cent. of the total number recruited.

36251. Then you do think they will get a very much larger percentage than they get at present?—Yes, but it will not amount to 60 per cent. At present we have four or five out of 55 or 60.

36252. This year it was seven?—But the average will work out to much less. Even if it comes to 25 out of 60 I do not think it will be "swamping," but I do not expect it will be 25 for the next 25 years.

36253. You disapprove of any separate examination because you think it will tend to an invidious distinction. You think that officers admitted by a separate examination will not be considered quite of the same status as if they got in through the same examination?—Yes.

36254. Do you really think that the method of recruitment of officers to the Service will make this invidious distinction, or will it not depend on their work after they are in the Service?—I think it will depend on the source by which the officer gets in.

36255. Absolutely?—I base it on one reasoning. Provincial Service men who have sometimes been fortunate enough to get into the Indian Civil Service posts are not received with the same kind of feeling as even the youngest civilian is received.

36256. But they are not admitted into the Indian Civil Service, are they?—No.

36257. They have not the same pay or the same privileges?—No.

36258. But even if you gave to all the recruits all the privileges, after separate examination; you still think there would be some distinction?—As it is there is a little distinction, and there would be much more if there were separate examinations.

36259. Failing your recommendation of simultaneous examinations, are you prepared to recommend to us any second alternative?—I would recommend scholarships, but even that, it has been urged, would cost a great deal. Personally I think the cost could not come up to more than a

lakh and a half of rupees a year. Supposing we were to give five per Province to the 8 Provinces in India, that would be 40 studentships a year, and if the scholarships were for three years it would amount to about £200 a year each.

36260. You would prefer a system of scholarships to any system of separate examination?—Certainly.

36261. With regard to your Judicial scheme, I understand you wish to wipe out recruitment from the Indian Civil Service altogether and give 50 per cent. to the Bar and 50 per cent. to the Provincial Civil Service?—That is what it comes to.

36262. Do you admit that there is any necessity for any European element in the Judicial Service?—I should certainly expect a leaven of the European element at the very top.

36263. You mean the High Court?—Yes; or some of the administrative posts where the whole scheme has to be watched.

36264. In the Divisional or District grade would you have any European element?—One or two.

36265. Where do you propose to recruit this European element?—Direct from home, as in the case of the High Court Judges.

36266. Do you think any English Barrister is likely to come out here for a District Judgeship?—No.

36267. A Divisional Judgeship?—I think he might, but not one of any repute. There are, I believe, several even in England who are struggling for a career, who are as intelligent as some of those who have been fortunate enough to get a high practice, and they would be, I think, quite worthy of appointments, and only too glad to get the appointments.

36268. Here you propose a Judicial Service that is recruited from two entirely separate sources, from the Bar on the one hand and from the Provincial Civil Service on the other: do you not think you will have the same invidious distinction that you would have if you had a separate examination in India for the Indian Civil Service? Is not the objection equally strong to your scheme of recruitment for the Judicial Service?—It would not apply. In the case of the Indian Civil Service there would be two different sources from which they would be admitted; in the first place, the race, and in the second place, the peculiar education that a stay in England gives to the Indian people. That would be supposed to be wanting in the majority of instances in which an Indian gets through an Indian examination. In the next place, in the Indian Civil Service appointments they have both to pull together, and consequently there is apt to be a comparison of one section and another, much to the prejudice, wrong prejudice very probably, of the man admitted purely from the Indian source. That will not apply to the Judicial Civil Service.

36269. It does come very largely then to a question of race?—It cannot be ignored.

36270. In answer to question (20) you have given us some figures about the proportion of Indians in the Service?—There I am wrong. It should read: "That part which is recruited by special arrangement in India has so far worked satisfactorily. But the proportions fixed have

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never been realised. For out of 104 we have only seven Indians." The figure is 7 instead of 5. This includes the Berars. Then it should read "In the Central Provinces out of 93 we have only five Indians thus enrolled," the figure 5 being substituted for 2.

36271. That refers only to Indians in the Indian Civil Service?—Yes.

36272. You have also left out of account the Indian officers who are holding listed posts and other Judicial appointments?—Yes.

36273. Altogether the proportion of Indians employed in the Central Provinces and Berar is very substantially higher than you have shown in that statement?—Yes, but before Berar was joined our percentage was very much less. It is only by an accident that we are able to show this high percentage. In Berar the non-Commission Service take up many more Indians than our Province, and after the amalgamation four or five gentlemen from Berar have to be counted in calculating our statistics now; Mr. Muinuddin, Mr. Jatar, Mr. Rustomji, and I think one or two more.

36274. I do not think there are more than three?—It is probably my mistake.

36275. There are only three, and if it is a question of balance you have at least three in the Central Provinces?—Yes.

36276. So that the Berar question is not such a very big element. You have also recommended that there should be direct appointments to some of the higher grades in the Provincial Civil Service, or even to listed posts?—Yes.

36277. And not content with the rule laying down that one-fourth of the listed posts may be recruited direct you wish to alter it to one-third?—As a matter of fact whether it is one-fourth or one-third the proportion has never been realised.

36278. I suppose your object is to have it realised?—If we place our limit a little higher we may get a little higher in the actual working figures.

36279. Under the rule Government has already the power to make as many direct appointments as you contemplate?—It has been very seldom realised.

36280. Do you not think it would be unfair to the Provincial Civil Service to make direct appointments of that nature?—I think the Provincial Civil Service would benefit by a leaven of outside element in it.

36281. Do you think the Provincial Service would give that answer?—I do not know.

36282. You went on to give certain statistics that you said you had worked out regarding promotion under the Provincial Service. Were they worked out on any proper actuarial calculation as regards casualties, leave vacancies, deputation allowances, and other factors?—They were worked out on this basis. I took every person in the Service, saw when he got into the Service, and saw when he would retire at the age of 55, and I put his period of retirement at a particular year. Calculating that for everyone in the regular course up to their retirement by age-limit or taking their pensions, I calculated the promotions. It has the disadvantage that I have not calculated casualties. Allowance for that can only be made to the extent of 3 per cent. per year.

36283. You have made no allowances really for casualties, transfers, promotions, and all the rest of it?—No.

36284. (Mr. Fisher.) You propose that the Judicial side of the Provincial Civil Service should be recruited by competition; how many posts would be offered for competition every year on an average?—It depends whether you have one Judicial Service for the whole of India or Judicial Services for each particular Province. If it is for the whole of India I certainly think the number would be 20 or 22.

36285. You would prefer an examination for the whole of India rather than a Provincial examination?—I think it would be distinctly better.

36286. Would you suggest that persons selected at that examination should be sent to Provinces other than those in which they reside?—Yes.

36287. You do not regard it as important that a Provincial Judge should belong to his own Province?—After all, the difference between the different communities in the whole of India is not so much as appears at first sight. Their environments are the same, their origins are practically the same, their history is the same, and their civilisation the same. In olden times when there were no railway facilities for communication it might have been a great difficulty, but now I do not think any difficulties or prejudices exist.

36288. Does your recommendation as to the competitive examination depend on the examination being national or would you accept a Provincial examination?—I should take a Provincial examination as a second alternative.

36289. (Mr. Madge.) While advocating the introduction of simultaneous examinations you think that they would not swamp the Service, but judging from your other answers am I right in thinking that it would not matter very much whether they did swamp it or not?—The Indian Civil Service is a very wide term. If it is the Judicial Department, as I have already said in reply to another question, there does not seem to be really any necessity for fixing a British minimum, because the resourcefulness, pluck, daring and other qualities of the English are not necessary. What is wanted is actual, real, solid hard desk-work. I have known of Civil Judicial Officers, Indian Civil Service people, in this Province, who call it being a "Head Bahu" in their district. Having regard to that feeling I do not think the Indian Civil Service people very much desire to be in the Judicial Department.

36290. By Civil Administration do you mean one side or both sides?—Judicial only. In the Executive Department there is certainly a necessity for the British minimum to maintain the British tone of the administration.

36291. By Civil administration you do not mean the Executive side?—No.

36292. You say in answer to question (28): "The system has so far given Indian members as good as the European members to the Service."

Of course even amongst the European members of the Service there are a few officers who are in every way as good as, if not better than, the Indian members of the Service. Does that mean generally in this country that the

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[concluded.]

European officers fall short of the Indian officers?—No, my remark must be taken with the sentence that immediately precedes. "Looking at this subject from every point of view I find the Indian Civilian better behaved towards the Natives of India than many European members of the Service."

36293. My object in putting this question is not to raise any racial question but only to ask whether you think the machinery can be so perfected that it does not matter who works it, or that a great deal depends on the official who has to work it?—A great deal depends on the person, but on the other hand a great deal also depends on the machinery.

36294. You refer to the Judicial branch of the Service as being a special technical branch of the Service, somewhat in the same sense as the Public Works Department or the Medical Department. Do you really think that?—Undoubtedly I think so.

36295. Do not you take into account the numerous administrative duties a Judge has?—It is similar in the Public Works Department and the Medical; they have administrative duties; they have their administrative department as well as their technical department.

36296. They are strictly professional in this sense, that a man may acquire a certain proficiency in his work no matter to what race he belongs. Do you not think there is any distinction between them and the Judicial?—I think there is no difference between them.

36297 (*Mr. Thakur*). Do you not think it will be a distinct advantage if the criminal work

is done by the Civil Judicial officers in filling up the posts of District and Sessions Judges?—That is what I refer to. I said it is not fair to expect criminal work of a high order from persons who have merely acted as Sub-Judges.

36298. If you take an officer to fill a District and Sessions Judge's post from the Civil side he will not have a knowledge of the Criminal Law, and if you take an officer from the magisterial side he will be wanting in a knowledge of Civil Law, but if you had Civil and Criminal work done by one side of the administration the officers promoted would have a knowledge of Criminal Law?—Yes.

36299. In giving your statistics you mentioned that it took 14 years to go from the first grade to the second. Is it any shorter in the others?—It takes from 1910 to 1924 to get into the Rs. 175 grade, and from 1924 to 1928 to get into the Rs. 200 grade.

36300. The first period is much longer than the second?—Yes.

36301. On what is this calculation based?—It only takes into calculation the retirements, as I said, not the deputation allowances, vacancies, or casualties.

36302. The promotion from the last grade but one would not be so much delayed as now appears?—I certainly think that with all allowances made it could not be less than eight years.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

Wednesday, 19th March 1913.

THIRTY-FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUDAL, Esq., C.S.I.

WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BRETRAM PRIOR STANDEN, Esq., C.I.E., I.C.S.,
Officiating Commissioner, Berar.

RAO BANADUR KASINATH KESHAB THAKUR,
I.S.O., District and Sessions Judge, West
Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra Assistant
Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary*).

FRANÇOIS SAMUEL ALFRED SLOCOCK, Esq., I.C.S., Inspector-General of Police.

Written answers relating to the Indian Civil Service.

36303 (1). What is your experience of the working of the present system of recruitment

by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of open competitive examination is free from the drawbacks belonging to the system

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[continued.]

which it superseded and on the whole it appears to be the best system that can be devised. If a satisfactory system of nomination before the competitive examination could be devised I am inclined to think that it would be worth trying. I cannot myself suggest any such system but probably a board of selection composed partly of retired officers of the Indian Services would work best. One of the points which I think should be insisted on in the candidates for the examination is residence for a certain minimum term in the British Isles. I base this suggestion on the premise that the object of the competitive examination is to recruit the British branch of the Civil Service of India and to obtain candidates who have had British training and have imbibed British ideas. Any candidate of other than British birth who wishes to compete should therefore have resided sufficiently long in the British Isles to have become imbued with British ideas. The chief drawback of the present system of recruitment appears to me to be the age at which Civilians arrive in this country, but I will deal with this point later on.

36304 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am opposed to any scheme of simultaneous examinations for the Indian Civil Service. The reasons against simultaneous examinations have been set forth at great length and with much force in the printed papers on the subject, and I do not think it is necessary for me to say more on this head than that simultaneous examinations would be incompatible with the objects of the competitive examination as I understand them.

36305 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I take it that the object of these questions is to obtain opinions as to the best methods of recruiting Natives of India for the higher appointments in the Civil Service. I have already expressed my views as to what the object of the open competitive examination is, and I need only add that in my opinion if an Indian candidate has resided sufficiently long in the British Isles to fulfil what I regard as the condition which should be essential to his right to compete, I see no reason why he should not compete. I know that under the present conditions Indian candidates are not very numerous, and if a condition such as I propose is imposed it is possible that Indian candidates for the open competitive examination may become fewer than they are at present. If it were otherwise and if there were any chance of the open competitive examination held in England being swamped by Indian candidates, I should certainly suggest closing the open competitive examination against Natives of India; indeed, there is much to be

said in favour of doing so even now. At the same time I recognize that Indians have a claim to be admitted more freely than at present to the higher branches of the Administration, and the way to secure them in this claim is, in my opinion, to reduce the recruitment for the British branch of the Service and to throw open more posts to recruitment in India. The question of the extent to which this can be done is one to be considered by those more qualified than I am and I do not therefore attempt to discuss it. But as regards the method of doing it I am certainly of opinion that the recruitment of Natives of India for the higher posts should not be effected through competitive examination. I believe that competitive examinations where they have been tried in India have not been very successful, and personally I do not see how they can be. It appears to me that success in a competitive examination held in this country must fall almost entirely to one or two classes only of the population. For example, with a view to see how a competitive examination for this Province would probably turn out, I have examined the figures of the passes by the B.A. and B.Sc. in these Provinces during the past five years and find that they are as follows:—Hindus 176; Muhammadans 7; Others 8. Out of the 176 Hindus I find that 148 are Brahmans and 33 are of other castes. Analysing the figures by race, I find that 133 of the Hindus are Mah rattas, 35 belong to the Hindi speaking races and 8 are Bengalis or Madrasis. It appears to me that these figures constitute a strong argument against any system of unrestricted competitive examination in India so far as this Province is concerned. The statistical argument would probably be stronger still against a single competitive examination for the whole of India. Our present system of recruitment for the Provincial and Subordinate Civil Services is a system of nomination from among candidates of certain educational qualifications, and this appears to be the system of recruitment most suited to the conditions of the country. If therefore it is desired to recruit Indian officers for the higher branches of the administration, the system to be adopted should be one of nomination, on the lines at present in force, of selected officers of the Provincial Service to listed posts. If you set apart certain posts from the cadre of the Indian Civil Service for competitive examination in India you will have (i) a comparatively small higher service recruited direct by competition; (ii) a Provincial Service recruited partly by direct nomination and partly by promotion from the subordinate service; (iii) a subordinate service recruited by direct nomination. Now it cannot be denied that there are certain disadvantages attaching to the existing system under which we fill the Provincial Service partly by direct nomination and partly by promotion from the subordinate service. These disadvantages would be intensified if you were to add a third service recruited direct by competitive examination. For example, there would arise the question of whether to retain the present system of selection from the Provincial Service

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into the listed posts. If you retain this system there would be confusion, jealousy and difficulty regarding seniority between those recruited direct by competitive examination and those recruited by selection from the Provincial Service. If on the other hand you abolished the existing system of selecting officers of the Provincial Service for the listed posts, you would most certainly reduce the attractions and status of the Provincial Civil Services. I would therefore prefer to see an extension of the present system of listed posts whereby you would increase the attractions and raise the status of the Provincial Service and would secure for the listed posts officers of proved merit. While I am on this subject I think it desirable that I should sound a note of warning. Whatever it may be decided to do in the way of increasing the number of posts open to recruitment in India, it can only be given effect to after a lapse of time. You cannot cut off posts from the cadre of superior appointments open to the Indian Civil Service and transfer them to the listed posts until the claims of Indian Civil Service officers, who were recruited at a time when those posts were still attached to the Indian Civil Service cadre, have been satisfied. It ordinarily takes eight to ten years for an Indian Civil Service officer to reach a superior post, and hence no superior post can be taken away from the Indian Civil Service for a period of ten years without a breach of faith. I mention this because, though it appears to be so obvious, there has been a tendency observable to disregard the claims of officers who are already in the Service. It appears to me that it is a very bad policy to try and please one set of people at the cost of injustice to another.

36306 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—The answer to this question depends on the decision that may be arrived at regarding recruitment of Indians in India. If it were decided to make direct recruitment of Indians in India to the Indian Civil Service, then I should certainly advocate the closing of recruitment in England against Indians. Sooner or later such a step would become necessary and it would certainly be easier to come to a decision now than later. Even without any scheme of direct recruitment in India, and if the present system of selection from the Provincial Civil Service be retained and worked on a larger scale, I believe that it still would be a sound move on grounds both of policy and of administrative convenience and efficiency. My point may be explained concretely thus. If it were decided to limit the proportion of Indians in superior posts to 20 per cent., I would sooner see the whole 20 per cent. recruited from the Provincial Civil Service than 15 per cent. from the Provincial Civil Service and 5 per cent. from Indian members of Indian Civil Service. In such circumstances I would of course advocate

the listing of a larger proportion of posts. Incidentally I would remark here that I see no reason why listed posts should be retained in the cadre of the Indian Civil Service. It appears to me that it would be better to transfer listed posts to the Provincial Civil Service cadre, in the branch to which they belong.

36307 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service. I consider that the best training which a Judicial officer can get is by starting as a Magistrate and Executive officer. A good Magistrate will always make a good Judge; if he elects or is selected for the Judicial branch he can easily make himself acquainted with Civil law, the study of which requires no great parts or abilities, while his early executive training will have given him an insight into certain matters which an officer whose whole time is confined to judicial work will have no chance of getting. Incidentally I may mention that I strongly deprecate the practice of filling judicial posts involving criminal powers with officers whose whole careers have been in the civil judicial branch. It is essential that our civil judicial officers should have some years' experience in the trial of criminal cases as Magistrates before they are put in as District and Sessions Judges. I consider that the recruitment of the bench from the bar is strongly to be deprecated. A lawyer acquires in the exercise of his profession certain traits which unfit him for a judicial position. A successful lawyer who has spent years at his profession rarely makes a good judge, and we certainly do not want to attract unsuccessful lawyers into our Judicial Service.

36308 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I have already stated that in my opinion one of the chief drawbacks to the existing system of recruitment is the age at which an officer arrives in India. My objection falls under two heads. One is that officers arriving in India at between 24 and 25 years of age have become more settled in body and mind, in their character and convictions, and are less impressionable and less adaptable than they would be if they come out younger. In my opinion 21 is the best age for a young officer to come out to this country. Moreover I do not think it is a good thing for young officers to come out married, and I would bar marriage for the first two years; this would hardly be possible in the case of men of 24 or 25. My other objection is as follows. It is calculated that an Indian

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Civilian will ordinarily reach a superior appointment after about eight years' service in India. If an officer arrives at the age of 24 or 25, this means he will not attain the rank of Deputy Commissioner or an appointment of similar status until he reaches the mature age of 33 to 34 years. In actual practice in these provinces we have officers of 37 years of age still performing the comparatively humble and irresponsible duties of Assistant Commissioners. I venture to say that such a state of things is absurd. If an Englishman who has been capable of passing one of the stiffest competitive tests and who has passed through the most expensive and most elaborate course of school and college training is not fit to take charge of the duties of a district officer by the time he reaches the age of 30, then it must be that we are recruiting a class of officer which is not suited to our requirements. But this I do not believe to be the case, and I have no doubt whatsoever that officers whom we are recruiting are perfectly fit for the charge of districts or similar duties by the time they reach the age of 30. It appears to me that the present state of affairs is one of the causes which are contributing to the decrease in the popularity of the Indian Civil Service as a career. The question then arises, are we to continue the present basis of recruitment and let officers serve eight years before they attain responsible posts or are we to reduce the period of training? It appears to me that the best remedy is to reduce the age at which officers arrive in this country, let them have their eight years' training in inferior posts and let them attain superior rank at about 29 or 30. If on the other hand we are to retain the existing age-limit for the competitive examination, then we must reduce the reserve in the cadre which is required for training, for leave vacancies and for inferior appointments and we must reduce the time which an officer will spend in training and in inferior appointments to five years. Another objection to the present system which has been mentioned to me, though I am not able to give a personal opinion on the point, is that the present competitive examination does not fulfil the principle laid down by Lord Macaulay's Committee in 1854, that "no candidate who may fail shall, whatever calling he may devote himself to, have any reason to regret the time and labour which he spent in preparing himself." This objection is not based on the syllabus of the examination but on the age at which the candidates appear for it. If a candidate at the Civil Service competitive examination fails, he has very little to look forward to in other lines of life and he is compelled to take up any appointment which may offer itself. Such a prospect must inevitably have the effect of deterring many suitable candidates from waiting for the examination. On all these grounds therefore I would certainly urge that the age-limit for the Indian Civil Service examination should be reduced to 18—20 and that the syllabus for the examination should be drawn up so as to secure candidates who have completed the ordi-

nary public school or high school course. Allied to this question is that of training and probation. It appears to me that the greater part of a young Civilian's training would be much better spent in India than in England. On the whole I am inclined to doubt the benefit of the probationary period spent after passing the competitive examination in England. There is no doubt much to be said for the view that probationers can get a better grounding in law and perhaps also in Oriental languages in England than they will out here, but I think that there is a tendency to make too much of the difficulties of securing good teachers in India. I certainly believe that if the probationary period were spent in this country we should find our young civilians acquiring a much better practical knowledge of the vernaculars than they do now, while I doubt whether their knowledge of law would be in any way inferior to that possessed by young civilians under the present system.

36309 (18). What is the most suitable age at which junior civilians should arrive in India?—About 20—21, *vide* question (15).

36310 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I am strongly in favour of a statutory reservation to the Indian Civil Service of the higher posts to fill which the Indian Civil Service is recruited, and I consider that it is desirable that such statutory reservation should apply to all posts from Lieutenant-Governor of a Province or Member of the Imperial Council down to Deputy Commissioner or District and Sessions Judge. The statutory reservation of posts is the best and strongest guarantee to intending candidates that the rights of the Service will be respected, and it is in that light that I recommend it and not with any idea of reserving a monopoly to the Indian Civil Service. I take this opportunity of suggesting, in case the enquiries of the Royal Commission are to extend to the organisation of the India Office, that it would be advisable if some statutory reservation could be effected of a certain number of posts there to officers, whether retired or in active service, of Indian experience. I make this suggestion in the interests of good administration.

36311 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes, there must always be a minimum proportion of

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British officers, but I do not think the time has arrived for considering what that minimum must be. What has to be considered is, what advance can be safely made at present in the admission of Indians. I am of opinion that within the eight or ten years that it will take to give effect to any change, it should be possible to open 20 per cent. of the posts to Indians recruited in India through listed posts.

36312 (28). Do you consider that the old system of appointment of "Statutory Civilian" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. *Vide* answer to question (9).

36313 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—Personally I am not opposed to the appointment of selected officers of other Indian services to posts ordinarily reserved for the Indian Civil Service, if thereby officers of superior merit can be obtained; but the difficulty is to make any such appointment without injustice to the Indian Civil Service officers who were recruited for and have claims to such posts. It would be necessary to remove any post so dealt with from the cadre of superior posts on which recruitment is based and to let it count as one of the deputation posts, so that there could be no claim on the part of any service to a monopoly of it. I doubt whether there would be any advantage in such an arrangement.

36314 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—No. The two inferior posts of Assistant Commissioner are no longer listed: they have been definitely transferred to the Provincial Civil Service when that service was reorganised; under the present system inferior posts are not listed: only superior posts are listed and recruitment of the Indian Civil Service is based only on those posts which are not listed. It is my duty to call attention to the fact that of the six superior posts listed, three have been recently listed without considering the vested claims of Indian Civil Service officers already in the service. The listing of these three posts should strictly speaking not take effect for another six or seven years yet.

36315 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not can you give

the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—My answer to the latter part of this question is no. I am no believer in filling judicial posts from the bar, and I do not see in what other way the power can be utilized.

36316 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(a) to the members of the Provincial Civil Service; and (b) to the public interested in this question; and what advantages, if any, does this arrangement possess?—*Vide* question (33); all the inferior listed posts are, under our present system of recruitment, merged in the Provincial Civil Service and this is the only arrangement possible.

36317 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—I see no object in specifying the listed posts, beyond laying down how many of them are to be in the Executive and how many in the Judicial Service.

36318 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—*Vide* answer to question (15). With a reduced age-limit, it would probably be advisable to retain the system of a year's probation in England, in order to avoid having young officers coming out as early as 19.

36319 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes, and also first-class passages to India.

36320 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No: the advantage would not be worth the expense.

36322 (54). What is your opinion of a probationer's course of instruction can best be spent in England or in India?—Subject to my answer to question (43), I think the best place for the probation of a young Civilian is India.

36322 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—No. I do not care for this proposal. The best training a probationer can get is practical training in a district.

36323 (56). In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in Law required by probationers can be given better in England than in India, because of the difficulties which junior Civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers

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[continued.]

appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I think the difficulties are rather exaggerated, at any rate as regards learning the vernacular. A civilian has got to accustom himself to study in a tropical climate and the sooner he does so the better.

36324 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I have no suggestions to make as regards the arrangements for the training of junior Civilians after their arrival in India. On the whole I think the present arrangements work well enough. I take this opportunity of suggesting that it would be very sound if young Civilians were to undergo a period of training in practical police work under Police officers; such training would be extremely useful to them in their after careers as Magistrates and Judges. I am unable to say that there has been any deterioration in the knowledge of Indian languages possessed by officers of the Indian Civil Service, but I admit that there is considerable room for improvement in this respect and I consider that the examination in vernaculars should be stiffer and more practical than it is at present. As regards training in law, I have already stated that I consider that officers selected for the Judicial branch of the service should receive their early training as executive officers and District Magistrates. Officers should, I consider, be selected comparatively late in their service, for the Judicial branch officers so selected might well, I think, be given special facilities for studying Civil law by special concessions in the way of study leave. I see no need for special training in subordinate judicial posts for the Judicial branch. Every young Civilian should try a certain number of petty Civil cases just as he has to try petty Magisterial cases. His work as a Magistrate and an executive officer will give him quite sufficient judicial experience; in order that he may qualify for a higher Judicial post all that is necessary is that he should be able to get some legal training by means of a special course of study in the principles of civil law.

36325 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I cannot say that there has been deterioration, but I think there is room for improvement. This can be effected by stiffening the Departmental test in the vernacular.

36326 (64). Please give your views as to what steps (if any) are necessary to improve

the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the bar, reading in barristers' chambers or other), and what conditions do you propose?—I think it would be sound to afford facilities for the study of law to officers selected for the judicial branch of the service by the grant of study leave.

36327 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details?—No. I do not see that it is necessary. Officers should be selected for the Judicial branch fairly late in their service. Their ordinary experience will have given them judicial experience or they will in their time have tried criminal, revenue and civil cases. What they want to qualify them for higher posts in the judicial line is a course of study in civil law. Subordinate judicial posts will not give them much legal training. I do not object to officers being put into subordinate judicial posts in the early part of their service but they should not be confined to such posts, as they will thereby lose the advantages of executive and magisterial experience.

36328 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

36329 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(a) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (b) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—As I have indicated in one of my answers above, I consider that the present theory underlying the conditions of the Services is a perfectly sound one, *i.e.*, that a period of eight years' service should be spent in training and in inferior appointments, provided that the age-limit is reduced as I have suggested. If, however, the present age-limit is retained, then I consider that the period of eight years to be spent in training and inferior appointments must be reduced to five years.

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36330 (75). Please now see the statement marked AA and the list marked *Central Provinces and Berar*=H, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your province. If not, please state what amendments are necessary?—List H is incorrect in showing 8 posts in the first class of Deputy Commissioners. When the Berar posts are amalgamated with the Central Provinces posts, there will be only 7 first-class Deputy Commissioners unless and until the badly needed regrading of our Commission is effected. The extra post is that of Inspector General of Police, which is a post carrying grade pay with a local allowance.

36331 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—So far as this province is concerned it is difficult to say how far the existing system is a suitable one because unfortunately in this province our recruitment is based on an incorrect list of superior appointments. Out of the superior appointments in this province 4 posts of Settlement Officer and 1 post of Registrar, Co-operative Credit Societies, are wrongly shown as superior. Owing to this error the whole of our recruitment and the whole of the other matters dependent on it have been upset. The result has been a very serious over-recruitment for the Central Provinces Commission and a most serious stagnation of promotion among the officers of 14 years' service and less. It seems probable that the scientific basis of the recruitment which has been worked out by mathematicians on actuarial data is correct, and that any mistakes and errors are due not to the system itself but to mistakes in its application.

36332 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—*Vide* answer to question (76). Our actual strength is in excess of our theoretical strength and as already stated our theoretical strength is higher than it should be. Our actual strength is 108; our theoretical strength according to Appendix AA is 99: while excluding five posts wrongly included in superior posts it should be 89.

36333 (88). To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—I do not consider that any change of principle is desirable in the way of further differentiation of the functions of the Executive and Judicial branches of the Indian Civil Service. The Judicial

branch consisting of Judicial Commissioner, District or Divisional and Sessions Judges and District Judges, is already separated from the Executive branch. The Executive branch continues to combine executive and magisterial functions, and must in the interests of the people and of efficient administration continue to do so. In these Provinces we hear nothing of the cry for separation of Judicial and Executive which has been raised elsewhere, and in my opinion the idea of such separation will not stand analysis, either here or elsewhere.

36334 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different provinces, and say whether they are correct for your Province?—I have to point out that a mistake has been made in the list of grades and pay of officers of the Central Provinces and Berar, given in Appendices VII and VIII. There are only seven posts in the first class of Deputy Commissioner in these Provinces and not eight. The mistake appears to be due to the inclusion of the post of Inspector General of Police in the first class of Deputy Commissioners. The post of Inspector General of Police is a second-ed post and in actual practice has always, except short periods, been held by an officer of the second class of Deputy Commissioners.

36335 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—The present scale of pay and grading in the Central Provinces and Berar is entirely unsuitable and most unfair to the officers in that Commission. The inferiority of the grading and of the scale of pay in these provinces as compared with other provinces has undoubtedly caused very great dissatisfaction among the officers of the Commission. The unfair grading of the Central Provinces Commission has caused a serious block of promotion which has been exaggerated by other causes. The Central Provinces Commission is a comparatively small one, it has hardly any of the highly paid posts which are open to the officers in other provinces, and it should therefore be treated more liberally than other provinces in respect of the grading and the scale of pay of the ordinary appointments. As a matter of fact our scale of pay and grading has always been and is still very much lower than those of the other Provinces of India, and there is undoubtedly a feeling among the members of the Central Provinces Commission that their case has not been treated with that consideration which it merits.

36336 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Both.

36337 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?—Yes.

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36338 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I certainly think that it is high time that the system of exchange compensation allowances which was introduced in 1893 as a makeshift remedy should now be abolished, and that the loss should be made up by raising the scale of salaries all round.

36339 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time scale of salary? If you are in favour of a time scale, should it be restricted to the lower grades of the service or not?—I have never been able to see any advantage in the graded system which has been adopted in India. It appears to me that the graded system is a complicated arrangement made with the object of securing that officers shall receive the same rate of pay and the same flow of promotion as a simple straightforward time scale would give them without any abstruse mathematical calculations. I am certainly of opinion that a time scale of pay should be introduced and I can see in it no difficulties or objections which will not apply equally to a system of graded or local pay while its certain advantages are obvious. Time scales should of course only be made applicable to the ordinary appointments which may be classified as appointments up to and inclusive of Deputy Commissioners and District or Divisional Judges. For higher appointments involving selection the scale of pay should be fixed for the appointments according to their status and responsibilities. Special appointments held by officers of the rank of Deputy Commissioner or below can be specially remunerated by the grant of a fixed personal allowance, over and above the time-scale pay.

36340 (103). If you are in favour of a time scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—I cannot see what the introduction of a time scale of pay has to do with the recruitment. Recruitment is based on a calculation of a number of officers required to fill a certain number of posts and has nothing whatsoever to do with the scale of pay fixed for those posts. The number of posts will be just the same in a time scale system as under the existing system and therefore recruitment must be similarly made on the same scale as at present.

36341 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-

thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I think that a scale of pay of approximately two-thirds of that drawn by officers of the Indian Civil Service is enough to attract suitable candidates, and it would be a waste of money to offer any higher rate because you would not thereby get better officers. On the other hand I am of opinion that where an officer recruited in India has proved himself fit for selection into a special high appointment he should receive the full pay of the appointment. For example, the pay of the listed appointments of Deputy Commissioner and District Judge should continue to be two-thirds of that drawn by Indian Civilians, but if an officer of the Provincial Service is found fit for selection into a special appointment such as that of Judge of a High Court, Member of Council, Member of a Board of Revenue, Judicial Commissioner or Financial Commissioner, it is only fair that he should receive the market value of his services and should be paid at the same rate as Indian Civil Service officers. The question appears to be entirely one of supply and demand. We want a certain number of British officers for the Indian Civil Service and we must offer them a rate of pay for ordinary appointments which will attract them, together with the chance for the best officers of selection for certain special appointments which are outside the ordinary line and to which a special higher rate of pay is attached. For the listed posts which are recruited in India we similarly want a certain number of Indian officers and we must offer a rate of pay sufficient to attract persons of the required class, but if out of such officers we have men of outstanding merit fit for selection into the special appointments over the heads of Indian Civil Service officers, we must offer them a rate of pay calculated on the value of their services as compared with the value of the services of Indian Civil Service officers, that is to say, the same rate of pay as is offered to Indian Civilians selected for similar appointments. A corollary to this view is that no Indian shall be appointed to such a post because he is an Indian; selection must depend on merit and fitness. For posts to which you are going to appoint Indians because they are Indians and not because they are more fit, a rate of pay sufficient to attract Indians of the right kind should be attached.

36342 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—I am of opinion that the existing leave rules are no longer suitable to modern conditions. I have recently recorded a note on the alterations which I consider necessary in the leave rules in reply to a reference from the Government of India. To summarize that note I would say that the existing leave rules are defective in the following respects. They encourage officers not to enjoy their one month's privilege leave every

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year but to accumulate it up to 3 months, they allow for more leave and longer periods of leave at one time than is necessary, while they prevent officers from taking leave as often as is really desirable by giving them only half pay during their leave, at the very time when their expenses are increased. It appears to me that a properly regulated system of leave would enable and encourage officers to take a holiday of a month or so every year and to take longer leave for about eight months at comparatively frequent intervals, say once every 4 or 5 years. The annual holiday which would of course be spent in this country is necessary to give relaxation from the round of official duties. The seven or eight months' leave every four or five years is necessary to enable an officer to get a change of climate and to visit his family and relations in England. Therefore in my opinion what we want is a system under which officers will be allowed less leave than they can take at present but will be given full pay during leave so that they will be able to afford to take it when they ought to have it. A system which enables an officer to take as much as 2 years' leave at a time seems to me unsound both from the point of view of the Government and of the officer concerned: a system which enables an officer to take a long period of leave before retiring when he certainly does not need it for the recruitment of his health, seems to be impractical, and when in addition to these two defects the system of leave on half pay is found to result in officers taking far less leave than they ought to have in the interests of their health simply because they cannot afford to go on half pay, there appears to me to be very little to be said for it, and the sooner it is altered the better.

36343 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No privilege leave is generally accumulated up to three months and parts of it are lost owing to officers not being able to take it as soon as the three months' leave become due.

36344 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not what change do you suggest?—No. *Vide* answer to question (106).

36345 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. *Vide* answer to question (106).

36346 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and rupees, and if so what change?—My answer to the first part of the question is no: neither the maximum nor the ordinary furlough allowances are liberal enough.

36347 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—*Vide* answer to question (106). If a scheme of leave on full pay were introduced, it would still be necessary to provide for extra leave on half pay for very urgent private affairs or for sickness.

36348 (113). Generally speaking, do any of the present leave rules applicable to the Indian Civil Service cause inconvenience to the Administration, and if so what, and what remedy do you suggest?—The rigidity of the rules sometimes causes inconvenience: if the rules are made more elastic, some, if not all, the inconvenience would disappear.

36349 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—The present scheme of pensions is generally satisfactory but there is room for improvement. It is I believe a fact that between £400 and £500 of the £1,000 pension given to Indian Civil Servants is paid for out of their annuity subscriptions. If this is so it appears to me that the amount of the Government share of their pension is very considerably less than it should be. I do not think that the Government share of the pension should be less than £850—£900 *per annum* and I think that the annuity fund should be converted into a Provident fund. Combined with this I would suggest that a liberal scale of extra pensions similar to that given to High Court Judges should be applied to the cases of other high officers. I consider that any officer who retires from the position of Lieutenant-Governor or Chief Commissioner of a Province or Member of the Viceroy's Council, should be given an extra pension of £500 *per annum* on completion of five years' approved service in such appointment and a proportionate sum for any shorter period. In the case of officers holding selected appointments of lower status such as Judicial Commissioners, Financial Commissioners, Divisional Commissioners and the like, I consider that an additional pension of £200 should be given after five years' approved service in the appointment and a proportionate sum for any shorter period. Of course if any such scheme as this is introduced it will be necessary to give effect more strictly than has been done in the past to the proposals of the Decentralization Commission in regard to selection for such appointments.

36350 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I do not care for a sliding scale varying with the salary drawn at retirement: the only sliding scale I would propose is that for special pen-

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sions for special appointments. I am in favour of a minimum non-contributory pension paid by Government which should be higher than the share of our present pensions now paid by Government.

36351 (120). Assuming the maintenance of the annuity system do you suggest any modifications in its detailed working, and if so, what and for what reasons?—*Vide* answer to question (118). It should be converted into a Provident fund.

36352 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—*Vide* answer to question (118).

36353 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The reduced pensions should be on a scale not exceeding the invalid pensions, and should be liable to reduction below that scale according to circumstances.

36354 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above question? If so, please explain them?—There is no doubt that the Indian Civil Service is becoming less popular as a career for Englishmen. The reasons for this are manifold. One reason I have already indicated, *viz.*, the fact that under present conditions officers arrive in this country at the age of 25 and cannot expect to attain positions of importance and responsibility until they have reached a comparatively advanced age. The best men will not care for a career which involves their retention in subordinate posts until they reach 34 or 35 years of age. Then again the conditions of life in India are changing and from the point of view of English Civilians they are changing for the worse. The expenses of living have increased enormously and are still increasing. The amenities of life out here are decreasing. A career which in the ordinary line offers comparatively few attractions and involves the maintenance of a position and rate of expenditure which leaves very little room for saving against leave and other contingencies is not likely to have much attraction compared with a career in other Government services elsewhere or with a professional or business career in England. Then again; however little there may be said to be in defence of such feeling, there is no doubt that there exists among young Englishmen a feeling against entering a Service where they will have to serve with or under Indians. I do not defend this feeling, which certainly disappears with experience, but there is no doubt that it exists and there is no doubt

that it is one of the reasons why the Indian Civil Service is becoming less popular. No one would suggest for a moment that the British Government should turn back from the road on which it has set out of admitting Indians more freely to the Public Services as they become more fit to carry the duties thereof. But at the same time the British Government must also face the fact that as this policy is followed out and the proportion of higher appointments allotted to Indians increases, the popularity of the Service among Englishmen is bound to decrease. Then again there is a general feeling that the Indian Civil Service is not as well regarded as it used to be by the authorities in England; in fact there is a common impression that that Service is looked upon with suspicion and distrust by some of those who ought to be its defenders. An impression of this sort, however ill-founded, is bound to react unfavourably on the popularity of the Service. Now there is no doubt that for any period which it is worth looking forward to it will be necessary to maintain the British element in the administration of India, and for the recruitment of that British element we must try to obtain not an inferior but a superior class of officers. The smaller the British element in the administration the higher should be the standard set by it. If we wish to recruit our British Civilians in future from the same classes as in the past we must increase the attractions of the Service as a career. There are several ways in which this can be done. One way is to set right the defects in the recruitment which lead to a stagnation of promotion, another way is to increase the pecuniary emoluments of the Service; another way is to offer better terms in the matter of leave and of pension, and another way is to get rid of the impression, which as I have said undoubtedly exists, that the British branch of the Indian Civil Service is regarded with distrust by some of their own countrymen in England. The British branches of the various Civil Services are necessary as a leaven to leaven the whole of the administration, they must set up a standard for all the Indian services to copy; especially is this true of the British officers in the Indian Civil Service, and it is especially necessary that they should not merely do their best, as they do, to set up this standard, but that they should feel that others recognize that they are doing so. The prestige of the Service (I use the word prestige in its best sense) will not be increased if Englishmen at home, including some of those who should be its defenders, take every opportunity of publicly displaying their distrust and suspicion of it. I am aware that the Royal Commission cannot do much to disperse the clouds of suspicion and doubt which now hang over the Indian Civil Service, but it can do much to increase the attractions of the Service, and it is for this reason that I have dilated at some length on the subject.

MR. F. S. A. SLOCOCK called and examined.

36355. (Chairman.) You are the Inspector General of Police of this Province?—Yes.

36356. Will you kindly tell us the length of your service?—Twenty-one years.

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36357. How many years have you occupied your present position?—Four years.

36358. What position did you occupy previous to your present appointment?—I was in the Secretariat.

36359. You consider that the open competitive examination is properly a means of recruiting Englishmen only?—That is my view.

36360. You would close the door to Indians if it were not that the number of successful Indian candidates was small?—I have put the view that if there were any danger of the examination being swamped by Indian candidates I would close it.

36361. Then you go on to say: "Indeed, there is much to be said in favour of doing so now." Will you explain what you mean by that?—My view is that it was originally a mistake to admit candidates from India to the competitive examination in England, basing that view on the idea that the object of the examination is, as I say, to recruit the British Service, and that the best place to recruit Indian candidates is in India, where you have a larger field of selection.

36362. In the event of your suggestion for closing the door in England being carried out, you would start an examination in India?—Not examination. I would open appointments in India, but I would not have an examination.

36363. You favour nomination?—Yes, nomination.

36364. You also say that you are not against extending employment in the higher posts to Indians?—No.

36365. You would gradually work up to a scale of 20 per cent.?—I would go beyond 20 per cent. eventually. I am only assuming that for the purpose of my argument.

36366. You would work up to a scale of 20 per cent. now?—I am not sure that I would not go beyond 20 per cent. now. I would go as far as 25 per cent. now. That is on the assumption that you close the English door.

36367. Any increase on 20 per cent. would be on the condition that the English door was shut?—No. The other way about. If you close the English door I would open the appointments in India more widely.

36368. That is the same thing. If you close the English door you would be prepared to increase your percentage of 20 per cent. up to 25 per cent. in India?—Yes.

36369. Your form of recruitment would be from the Provincial Civil Service by increasing the number of listed posts?—Yes.

36370. You have had, I have no doubt, considerable experience of listed posts officers. Do you find from that experience that they come into their positions in the listed posts too late in life?—Yes, I think they do. But my experience is a very small one.

36371. In advocating an increase of the listed posts officer, would you like to see him attain the position in the listed posts at an earlier age than he is able to at present?—I should.

36372. You would like to see him selected after, say, eight years in the Provincial Civil Service?—Somewhere between ten and fifteen years' service.

36373. Do you think that method of recruitment, the benefits of which would necessarily be confined to a very few selected officers, would have any discouraging effect upon the rank and file of the Provincial Service?—I am afraid I am not qualified to give an opinion on that point. It might, and it might not. I take it that in some ways it might discourage the senior men; on the other hand it would encourage the junior men; and it might possibly (though I do not say that it would) get men into the Provincial Civil Service who at present would not be prepared to come in.

36374. You propose reducing the age-limits for the examination to from eighteen to twenty, do you not?—Yes.

36375. Have you considered what effect that would have on the Indian who desires to enter the Service through an examination?—I have to some extent. I think it would be adverse to the Indian.

36376. Do you consider that an extension of the listed posts, in view of the restricting effect that your age-limit will have upon the open examination, will be a sufficient advance of opportunity to meet the aspirations of the educated Indians?—I think the arrangement should be made in such a way that it would be calculated to produce such a result.

36377. What do you mean exactly by that? Do you mean that first of all a considerable increase of listed posts should be given?—I would transfer at once to the listed posts the number of appointments proportionate to those posts which would ordinarily be held by Native members of the Indian Civil Service.

36378. You would give to the listed posts the proportion which would be lost owing to the added difficulties of the younger age, and then you would give additional posts as well to make up the increase?—Yes.

36379. Would you leave the listed posts as they are now, or would you increase their status? Would you, for example, continue to give officers in the listed posts two-thirds of the pay which is received by their fellow officers in the Civil Service?—I am not sure about two-thirds, but I would give them a lower rate of pay than the Indian Civil Service.

36380. You would not be in favour of the proposal, which has been made to us by some witnesses, that the listed posts, *per se*, should be abolished, and that these appointments should be definitely incorporated in the Indian Civil Service?—No, I do not think I would care for that.

36381. By that do you mean that as soon as officers were put into the listed posts they would become members of the Indian Civil Service?—Yes, but you would still have to list a number of posts.

36382. You would earmark a certain number of posts as you do now, but instead of calling them listed posts, you would simply say: "This man has been appointed to be a member of the Indian Civil Service"?—That is a point which has always struck me as rather difficult; and, on the whole, I should prefer that, instead of the posts being merged into the Indian Civil Service, the listed posts should be definitely transferred to the Provincial Civil Service.

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36383. Your proposal comes to this, that you would appreciably reduce the opportunities of the Indian to get into the Indian Civil Service?—Yes.

36384. It would be very difficult indeed for an Indian to get into the Indian Civil Service under your scheme?—He would never get into the Indian Civil Service, but he would retain the same chance of getting into the posts held by the Indians in the Indian Civil Service as he does now.

36385. Do you think that would satisfactorily meet the demand which is made to-day by educated Indians?—I think it would probably be very unpopular.

36386. I gather from your answers that you lay great stress upon a reduction in the age?—Yes, I do.

36387. You think it important that the young Civilian should come out to this country at the age of 21 or 22, and not, as he does at present, at 25; and you have given your reasons?—Yes.

36388. You speak with a certain amount of experience on that point. You think that the young Civilian will assimilate more satisfactorily the atmosphere of the administration by entering at 21 than at 25?—Yes.

36389. You also lay it down that it is important he should attain a superior post after eight years' service, somewhere about thirty years of age?—He is calculated to do that under the present system.

36390. He does not do so under the present system. He gets in nearer 33 or 34?—Under the present system it is eight years' service, and that would make him 34 years of age.

36391. You think that is too old?—I would retain the eight years' service in inferior appointments, and let them attain these posts at 30. The reduction of the age itself would bring that into effect.

36392. In your answer to question (60), speaking of the training which you would give a young Civilian in this country, you suggest that for a portion of his time he should serve under a Police Officer. Could you tell us what kind of training you have in mind and for how long?—I should not include it in his first two years' training, because he must attain a good knowledge of the vernacular before his police training would be of any use to him. I think it would be a very good thing if some time, say in his first three years, after he has attained a knowledge of the vernacular, he could be put to much the same sort of work as the young Assistant Superintendent of Police is put to under a District Superintendent of Police.

36393. You suggest that officers for the Judicial Branch should be selected from the Indian Civil Service fairly late. You do not think there is any need for training in the position of a Subordinate Judge?—Special training in Subordinate Judicial posts,—no, I do not see any object in it.

36394. Do you not think that six months or so in that position would give a man a very useful training?—I think it would be very useful to him, but I do not think it is necessary. I would not be opposed to it.

36395. You do not set much store by it?—No.

36396. Your recommendations as to salary, leave, and pension, follow closely those of the other Service witnesses?—Yes.

36397. (Sir Murray Hammick.) You talk of training in the police. I suppose what you refer to is what has been done in some Provinces once or twice. You would put Assistant Commissioners on special duty as Superintendents of Police, say for six months?—Yes.

36398. You think their training would give them a knowledge of the ways of the police, and the way cases are got up, and so on, which would be very useful afterwards to them as Magistrates?—Yes.

36399. With regard to this question of Judicial training, why do you think that in these Provinces the Judges would require no special training for their appointments?—No special training in the Subordinate Judicial posts, do you mean?

36400. Or in the disposal of civil cases. Why do you think that in these Provinces it is not necessary or advisable that a Judge, who is going to try civil cases without any monetary limit, should have a previous training in the trying of small civil cases for some time?—I postulate that every young Civilian should try a certain number of Subordinate Judicial Civil cases.

36401. In the present condition of things, does every young Civilian do that?—He does not, as a matter of fact, but I say that he should.

36402. How could you arrange that he should be a Civil Judge?—He would work as a Subordinate Judge. Many of our Assistant Commissioners here do work as Subordinate Judges.

36403. Do you mean that they are simply given Subordinate Judges' powers, and are sent certain cases to try?—They are actually appointed Subordinate Judges, to the best of my remembrance. Those are men, who, as a rule, are going to be put into the Judicial line. Not all of our men are put to try these cases; but I do not see why they should not. In the same way as they try minor criminal cases, I do not see why they should not be put to try minor civil cases.

36404. You would like to see every man who is going into the Judicial Department appointed a Subordinate Judge for some time?—Some time or other before he reaches the stage of selection, of bifurcation.

36405. Before he reaches the time of selection you would try and make every officer go through this training?—If possible I should like to see every officer go through it.

36406. You do not think it is necessary that he should begin lower down as Munsif?—There is very little difference between Munsifs' cases and Subordinate Judges' cases. It is only a difference of jurisdiction.

36407. Any way you think it is an objection that Civilians should be appointed to Judgeships without having undergone a certain amount of training which they would derive from trying suits of minor importance?—Yes.

36408. You do not see any need for sending officers home to go through a course of law at home before finally going into the Judicial?—I should like to see them do it.

36409. You would like to see them sent on study leave?—Yes.

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36410. Do you think it is a good way of spending public money? Do you think it would give a satisfactory result in proportion to the cost if men were sent home for eighteen months' leave to read in chambers in London?—I am not prepared to say that it would. I do not see why it should not be.

36411. On the whole, you are in favour of a very practical and long training of the Judge before he takes over Judge's powers?—Undoubtedly.

36412. On the other hand, you find fault with the existing system by which men who have only civil powers are given criminal powers without training?—Yes.

36413. That happens very much in this Province, as I understand, does it not?—It has not happened very much so far; but there are some prospects of it happening to a greater extent.

36414. (Mr. Macdonald.) I should like to ask you with reference to a word you use in the course of your reply to question (9). You say:—"I believe that competitive examinations where they have been tried in India have not been very successful." Would you mind telling me what you mean exactly by "successful"?—I mean that they have not attained the results desired.

36415. Do you mean that they give you an indifferent quality of man?—I understand the chief objection was that they gave you only one class of man. I know very little about it. I have seen it stated that in Bengal they had competitive examinations for the Provincial Service, and they had, partially or wholly, I could not say which, to abandon them on that ground.

36416. I wanted to know what the standard was, whether it was of indifferent quality?—I do not know.

36417. You go on and give a table about Hindus, Muhammadans and others. That is what you mean by the use of the word "successful"?—Yes.

36418. With reference to the distribution of these honours, do you know when the seven Muhammadans came in?—Two in 1910, and five in 1911.

36419. Have you any information, or have you any opinion, as to whether that represents a definite turn in the tide of Muhammadan successes, owing to the greater facilities which Muhammadans now have for passing these examinations; or do you think it is purely accidental?—I should think you could draw no inferences from them. It is only casual.

36420. You know that up to now the Muhammadan schools, from the Lower Urdu school up to the Government Muhammadan Middle School, have been rather ill-fitted to pass Muhammadan pupils right through the Universities?—The separate Muhammadan schools,—I am not an authority upon that.

36421. Further on in answer to the same question you say: "If you set apart certain posts from the cadre of the Indian Civil Service for competitive examination in India you will have" so and so. As I understand it, in answering that question, you assume that the proposal is that there should be something like a separate Indian cadre working alongside the English cadre?—That is what I understood.

36422. Supposing that is not the intention at all, but that the intention is simply to set aside a certain percentage of the whole cadre, then some of your objections which you take to this proposal would not hold good?—It depends upon how you would work it.

36423. You would not have a third system, to begin with?—No.

36424. That would go by the board. I take it your idea is that they would be selected by competitive examination in India, and would be appointed to the Indian Civil Service, only by a separate examination?—Yes.

36425. Let us understand each other. Supposing there were sixty vacancies, and one-third had to be filled up by Indian candidates to be selected partly at Home and partly in India. The twenty men would be full members of the Indian Civil Service, and just go up in the ordinary way that an Englishman would go up. That would be the idea. Your objection to the third separate cadre, that particular objection, disappears?—That objection disappears.

36426. Further down in answer to the same question you refer to listed posts, and the vested interests of the service. Supposing in the course of the last ten years, by additions to the numbers of the superior posts, or by a better grading, or some improvement having been made, the prospects of the men who came out ten years ago were improved, would you take the view that those prospects should be set off against the deterioration which would take place supposing we listed a few posts?—Yes, I suppose it would be a fair argument.

36427. You would not object to the sort of idea of a ledger balance: credit you with so much, and debit you with so much?—I think it would be a perfectly fair argument.

36428. But would it not reduce the substantial consideration of vested interests very much?—Yes, it might do that. In our particular instance, however, I do not think it would, because I think we were over-recruited to such an extent that the new posts added do not compensate. Moreover, you must remember that there are five posts wrongly included in the superior appointments.

36429. Let me put it this way. Supposing a man is the fortunate competitor in London, and you were over-staffed at the time; supposing he is the last man on the list and that if you had not been over-recruited he would not have got in at all. How does his ledger balance stand? If you had been recruiting up to your proper limit this man would have been left out of the Indian Civil Service altogether and might have had to go in for anything. On account of your over-recruiting system he has got in. On your reasoning, has he got any vested interest at all?—I think he has.

36430. He has got in by mistake?—He may have; but having once got in, he has his vested interests.

36431. It is very full of complexities?—Yes, it is very full of complexities.

36432. You propose this particular method of furlough. As I understand it, you also rather take this view, that adding furlough to privilege leave, roughly speaking, you claim, or you think

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that you ought to have, about three months' holiday a year, that is, averaging it up?—I abolish privilege leave in my own system.

36433. You get your month's holiday?—Yes.

36434. I would call that privilege leave (that is what I mean by privilege leave for the time being): you have got a month's holiday every year, and two months' accumulation of furlough?—Out of fourteen months.

36435. Your scheme works out at three months out of fourteen?—Yes.

36436. Do you not think that is rather much?—No.

36437. I should like to try and get your mind upon this to see how far we agree upon it. As I understand, your view is that furlough should not be so long that the man gets out of touch with India?—Yes.

36438. Is it not in your evidence that there is a condemnation of the two years' furlough?—Yes.

36439. So that we should have to draw a line between the length of furlough which would bring a man out of his Indian rut, so to speak, so that when he came back again he would have to get into his Indian rut?—Yes.

36440. Do you say that if the unbroken work time in India has got to be very long, the furlough time must be equally long? Am I to understand that that is the reason why you want furlough to be available at four or five years instead of at eight or nine years?—Yes.

36441. If the furlough is comparatively short, the periods between must be short?—Yes.

36442. I should like to see whether you would really resist this suggestion,—that if you give furlough, say, once in five years, then your furlough period should not be more than about seven or eight months?—I think I would allow it to accumulate for five years. I would give a period up to ten months. Sometimes a man might want to accumulate up to five years. It would be unfair to say, "You must go in the middle of the period of your appointment"; and it might not be in the interests of the public service. It would, on the other hand, rarely be necessary for a man to stay in an appointment for more than five years.

36443. Coming from the time to the money, you really think that this special kind of holiday should be paid for at full rates?—Yes, I think it should be.

36444. You have thought a great deal about it, I understand?—I have thought about it more from the point of view of the Uncovenanted Civil Services, and especially from the point of view of officers in my own department, the Police; and I have not the slightest hesitation in saying that so far as they are concerned the rates of furlough pay are absolutely inadequate. I have proved it by statistics. As regards the Indian Civil Service, the rate of pay is greater, and possibly there might be a less strong argument in favour of full pay for members of the Indian Civil Service. But I think if you did not give them full pay, and gave the other Service full pay it might lead to a certain amount of jealousy, and be regarded as invidious.

36445. (*Mr. Sly.*) If your recommendation, in favour of the abolition of accumulation of privilege leave and the substitution of an annual holiday were accepted, do you recommend that that

should still be done even if no compensation is given in the shape of furlough on full pay?—No; I think the two are bound up together.

36446. That if no furlough is to be given on full pay in the Service it is desirable in the interests of the officers to permit the accumulation of privilege leave, as it is done at present?—It is a bad system, but I do not see any other remedy.

36447. If you abolish the accumulation of privilege leave, and give no substitute in the shape of better terms on furlough, would it not have the effect that officers in a large majority of cases would practically be unable to proceed on furlough at all to Europe?—The difficulty, of course, would be increased. There is one thing I ought to explain about privilege leave. My annual holiday is not intended as privilege leave to be earned by so much service. I put it down as one month's leave in the same light as we at present get ten days' casual leave. It is really casual leave to be taken at any period of the year. You have not got to earn it.

36448. You fill the post of Inspector-General of Police, a post which is included in the cadre of the Indian Civil Service. Can you tell us what the present orders are in regard to the filling of that post, either from the Indian Civil Service or from the Police Department?—It is open to both.

36449. Then the Civil Service is at present recruited for a post which it may not obtain?—Yes.

36450. Do you not consider that in the interests of both Government and the Service it should be definitely laid down, either one way or the other, that if it is not to be restricted to the Indian Civil Service Cadre, the Indian Civil Services should not recruit for that post?—No. It is only one post more; and if it was occasionally given to the Police I do not think that it would be a serious matter.

36451. On your own principle you are recruiting for a post which may not be filled by an Indian Civilian?—Yes.

36452. You have given an opinion in favour of a short course of practical training for Indian Civilians in the Police Department. I believe you have had some experience in the training of Police Officers in Police Schools?—Gazetted officers? We do not do it.

36453. Was it not done at one time?—It was tried for one year.

36454. Was it successful?—It was not tried in my time. I was told it had not been successful. We are the only Province that do not do it, I believe.

36455. Can you tell us why it was not successful? Was it because the principle was wrong, and that no training of officers in a Central Provincial institution could be made suitable?—I think the particular methods adopted in that case were wrong, it was partly that. I am, however, against the principle myself. I had to send up definite recommendations as to whether young policemen should go to a Training School or be attached to a district; and the Chief Commissioner, who was then Sir Reginald Craddock, decided that the balance was against their going to the Training School.

36456. (*Mr. Fisher.*) You advocate a period of training for young Civilians in practical Police work

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under Police Officers. If they are to undergo that period of training they must, of course, forego some other type of experience. What particular piece of work would you recommend being dispensed with in order that they may undergo practical training under Police Officers?—I do not know for certain that you would have to forego any other type of training; because if the state of the cadre permitted, you might be able to put these young officers for six months' police work by taking them off their ordinary practical training, that is after the completion of their two years' probation and training when they have started practical work. They are still learning their work, and therefore not being given any very responsible work, and it might be possible to send them for police training for six months without foregoing any other branches of their training if it were necessary. I did once suggest that it might be substituted for the Settlement course. The Settlement course is a very short one: it does not last anything like as long as my proposed training in police work. I think it lasts six weeks or two months. This would not be enough for the police training. If you cut off the Settlement training you would not get enough time for the police training. It would therefore have to be in addition to any other form of training you now get.

36457. With regard to the examination in the vernaculars, you consider that the examination in the vernaculars should be stiffer and more practical than it is at present?—Yes.

36458. Have you got any more definite recommendations to make?—I am afraid I have not.

36459. How is the examination in the vernaculars conducted at the present moment?—The written papers, as far as I remember, are examined by an officer who is generally the Oriental Translator. The oral examination is conducted by a Board which, I think, generally consists of the Oriental Translator, the Commissioner, and some other officer stationed in Nagpur where the examination is held.

36460. The examination is controlled by the Civil Service?—Yes, it is a Service examination.

36461. Would there be a grave objection to transferring the conduct of this examination from the Service to the Universities?—I do not know whether the Universities could take it; but I do not see any grave objection to it if they could manage it.

36462. (Mr. Madge.) Your proposal to temper the competitive examination with nomination closes with the suggestion that "the Board of selection composed partly of retired officers of the Indian Civil Service would work best." You do not fear that the men who have passed their whole lives, or the better part of their lives, in India would shut themselves out from the very sources of information which would make such a Board useful at home?—There would not be any question of "sources of information." The intending candidates would appear before the Board. I do not recommend this proposal very strongly. In fact, the more I think of it, perhaps, the less advantages I see in any system of selection before competition.

36463. If you withdraw the suggestion, I have nothing more to say?—I only threw it out as a possible suggestion.

36464. When I speak of "sources of information," I mean the general influences which prevail in a country which help men living in that country to come to definite conclusions on any subject?—I do not suggest that any such Board should be composed of ex-Indian Officers.

36465. In answer to question (9), you say, "I take it that the object of these questions is to obtain opinions as to the best methods of recruiting Natives of India for the higher appointments in the Civil Service." You do not approve of a competitive system, which you think was introduced chiefly for Englishmen; but has any other method occurred to you for capturing a kind of talent which does exist in this country, though it does not usually disclose itself till late in life? Has any method ever occurred to you of selecting early in life the kind of men that we come across in independent careers who we think would make good public servants if we had them? Has any idea occurred to you of capturing that class of men earlier in life?—I should hope to get them through the Provincial Civil Service.

36466. Are they not now attracted to the Provincial Civil Service?—I think you get quite as good men in the Provincial Civil Service as outside.

36467. I do not mean to say that you have not first-rate men in the Provincial Civil Service; but I am speaking of a class of men who have disclosed almost brilliant talents in independent careers?—If you increase the prospects of the Provincial Civil Service you would presumably attract some of the men who are not now attracted.

36468. Will you help me to understand the analysis you have made? Either it refers only to a particular period of five years, which is no guarantee of results, or it is not a method of reaching the best man that you can get wholly irrespective of the race to which he belongs?—My analysis of the proportions of Hindus, Muhammadans and others, you mean: it is based only on five years' figures. As a matter of fact, I did examine similar figures which were prepared about the time of the last Public Services Commission. If I remember rightly, the proportion of Hindus to Muhammadans and others at that time was lower than it is now. It was not a very serious difference, but it was slightly lower than it is at present. The Hindu, and especially the Brahman, element has increased more than the other elements. I am not prepared to swear to the figures, but that is my recollection of the figures which I saw.

36469. What I mean is this. We want to get, I believe everybody wants to get, the best class of public servants for whom the country can afford to pay wholly irrespective of the class or caste to which he belongs?—I do not take that to be the policy of Government. The Government has laid down in more than one place that its policy is to get all classes represented. I think I am correct in saying that.

36470. The desirability of representing all classes has been recognised, but not at the expense of efficiency, has it?—I suppose the idea is that if you get all classes represented you will get greater efficiency. Certainly that policy has been followed.

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36471. Do you think that an exclusive recruitment from the Provincial Service for the higher Service would destroy all chances of that *camaraderie* which may exist otherwise; there may be a sense of inferiority, so we have been told?—If you mean between the members recruited through the Provincial Civil Service and the members of the Indian Civil Service, I think that is somewhat exaggerated. It depends upon the individual more than on anything else.

36472. Do you think the sense of inferiority would gradually disappear, other conditions being favourable?—I do not see why it should not.

36473. Do you think there should be an irreducible minimum of British officers? Have you fixed in your mind any definite proportion?—Ultimate or present?

36474. For the next few years?—For the next few years I should say at the very outside 25 per cent. should be.

36475. In answer to question (11) you say:—"I would sooner see the whole 20 per cent. recruited from the Provincial Civil Service than 15 per cent. from the Provincial Civil Service and 5 per cent. from Indian members of the Indian Civil Service." Is that not with the object of abolishing all internal differentiation in the Service?—Yes.

36476. Does not that somewhat conflict with the opinion you have given us that there would be no sense of inferiority in the man promoted from the Provincial Civil Service?—There may be a sense of inferiority. I do not see that it conflicts with what I have said about the system of recruitment.

36477. In answer to question (13) you do not recommend any separate method of recruitment for the Judicial Branch of the Service. That would be, I take it, because you think that in the earlier years of his career a Civilian acquires a certain amount of information and knowledge of people, and all that, which is invaluable to him no matter what career you put him into. Would that consideration enter into your objections against recruiting from the Bar?—My objection to recruiting from the Bar is an entirely different one.

36478. This consideration does not enter at all into that because a man recruited from the Bar would not have that experience at all?—No; that is not my ground.

36479. You say that a Civilian now comes out rather late, coming out between 24 and 25, and a little further on you say that you think candidates might be got between 18 and 20, that is before they go to any University?—At the close of their High School or, Public School, career.

36480. You do not think your University career absolutely necessary?—No, not absolutely necessary.

36481. As regards the development of character between these two respective ages, do you think that India is a better place to develop English character than England?—No, though I think it is a very good place for developing character.

36482. Then it is for other reasons that you think men should come out earlier in life?—Yes; and I have stated what those reasons are.

36483. You think they come out too late. You say: "My objection falls under two heads. One is that officers arriving in India at between 24 and 25 years of age have become more settled in body and mind, in their character and convictions, and are less impressionable and less adaptable than they would be if they come out younger." That is to say, you would desire them to come out younger?—Yes.

36484. And that opinion is confirmed by what I have said about capturing them between 18 and 20 at home?—Yes.

36485. The advantage, on the one hand, would be, that the later a man comes out the more developed his character is in the more favourable conditions of English society at home?—Yes.

36486. On the other hand, the younger a man comes out the more impressionable he is to Indian conditions?—Yes.

36487. Do you consider the latter more important than the former?—As he has to spend his his next 25 years in India, it is certainly desirable that he should be subject to Indian impressions.

36488. In answer to question (15) you refer to your subjects of examination: but though you have given us a good deal of useful and interesting information you do not refer to the subjects. You would rather not deal with the subjects?—I would prefer not.

36489. In answer to question (25) you refer to the "Natives of India." Have you domiciled Europeans and Anglo-Indians at all in the Police?—Yes.

36490. In what you would call the commissioned ranks, or entirely in the non-commissioned ranks?—We have had them in both.

36491. Both classes?—Yes.

36492. Are they generally as good as, or better or worse than, their compeers?—My experience of them in the gazetted ranks of Police is very small, but, distinctly, they are not as good as Europeans.

36493. In what respect do you think they fail?—I do not say that they fail.

36494. They are not up to the mark in certain qualities?—They are wanting in certain qualities.

36495. Have they been recruited from young men brought up in good local Schools?—We have had so very few. At the present moment we have only got one.

36496. Supposing they were brought up in the best European schools available in India, in the hills, and elsewhere, do you think their heredity might tell in their favour and get rid of qualities which unfortunately may cling to them, having been brought up under worse circumstances, as far as you can judge?—As regards Anglo-Indians, I think the good specimen of the domiciled Anglo-Indian makes a most admirable Police Officer. We have a case of it.

36497. You attach some importance to the study of the vernaculars. Is it, or is it not, your experience that young English Civilians and any Europeans you may have in the Provincial Service acquire a real mastery of the language?—Some do.

36498. And some do not?—And some do not.

36499. I have heard of a European in Bengal who had passed in the higher standard, who after

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he had read a homily to a ryot on some subject, was told by the ryot that he did not understand English?—I can quite believe it.

36500. Is the type of acquaintance with the vernacular here much better than that generally?—Yes, I think very much better.

36501. The proof of the pudding is in the eating, and your preference for men selected from the Provincial Civil Service is probably because those men have shown their capacity in actual work. Is that it?—Yes.

36502. (Sir Theodore Morison.) There is one point in your reply to a question put to you by the Chairman which I should like to clear up, as I did not quite understand it. You said that promotion would not be more rapid if a young man came out at 21 and 22?—Yes.

36503. But you recognise, do you not, that their pay at the age would be very much improved?—Yes, their pay for their age.

36504. All that it means is that they would not arrive at higher posts after a shorter term of Service?—That is what I meant. In fact, I should say that actual promotion by service would be retarded. If you get men in at 21 they are more likely to continue over 25 years than if you get them in at 25.

36505. I understood you to mean that?—Age for age they would be drawing higher pay; Service for Service there would be no difference.

36506. Ago for age there would be better pay?—Yes.

36507. In your answer to question (23) you have pressed upon the consideration of the Commission the recommendation that there should be a statutory reservation for the Indian Civil Service of the higher posts?—Yes.

36508. That is rather unusual, is it not? Do you know of any other Service which has such a strongly entrenched position?—I do not think I do. They would like it.

36509. Would you extend it to other Services in India?—Yes, I think I would.

36510. Because some of them have a feeling, have they not, that they require a statutory protection against the Indian Civil Service, for instance, this particular post you are holding at the present moment. Are you prepared to give the Police statutory protection against the Civil Service. The question Mr. Sly suggested must be decided one way or the other?—No, not for my post. It may sound conceded to say so, but I would not.

36511. A certain number of posts would have to be left open?—Yes.

36512. You would not give the Civil Service a statutory right to that post, would you?—No.

36513. Would you extend the statutory privileges of the Indian Civil Service to certain posts in the India Office. What would you do for the men in the India Office?—I would not do anything for them.

36514. They are a Service, of course, like your own, recruited in the same way, and clearly you will recognise that they have the same sort of vested interests in the higher posts as your own Service. I take it for granted you recognise that?—Yes.

36515. If it is desirable to allow the India Office to have a certain number of men with experience of India, what provision would you make for those men?—I should not recruit for those posts from the Home Civil Service. I should respect the vested rights of those already in the Service. But I should not recruit from the Home Service for the posts which would be given either to active Service or retired Service Indian officers.

36516. That would mean in practice that you would give the members of the Indian Civil Service the higher posts in the India Office?—I would give them Secretariat posts. I do not know sufficient about the organisation of the India Office to be able to pronounce a very confident opinion. What I feel is wanted is one or two Secretariat officers with Indian experience, and I think preferably active service men who are still in the country and expect to go out again, or, if they are retired men, those who are only just retired. There are a lot of minor questions which go up to the India Office which really require more or less minute and recent provincial experience to deal with.

36517. Provincial experience you cannot always secure?—You can get the selected officer from the Government of India Secretariat who has had his Provincial experience not so very long before. In fact, you would select much in the same way as you select for the Government of India.

36518. You do it on the ground that it is desirable to have somewhere in the India Office, officers of Indian experience: is not that so?—Recent Indian experience.

36519. That is what the Council is there for?—Yes; but, still, the Council cannot do Secretariat work. Members of Council do not do the spade work of cases. What one wants is a man to do the same sort of work as a Secretary does out here. I take it that the Council is more or less in the position of the local administration, the Chief Commissioner, the Lieutenant-Governor, the Members of Council and the Government of India. If you had Secretaries in the Government of India who knew very little about India, the Members of Council, with all their knowledge of India, would not rectify the mistakes those Secretaries would commit.

36520. The result of your recommendation is enormously to weaken the Council of India, and to strengthen the position of the Secretary of State. I do not know whether you intended that or not?—No. I could not say what the effect would be in that way.

36521. That is the effect?—I do not see why it should be. Of course you know more about it than I do.

36522. As long as the Council contains the unique experience which it does, and which nobody brought up in, Whitehall can have, a Secretary of State must have great hesitation in overruling his Council?—Still, I think that one or two Secretaries with recent or present Indian experience would be a good thing in the India Office.

36523. Was it in your mind, or are you prepared to consider, that possibly some of the men in the India Office might find useful work out here; that there should be a change?—It is possi-

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ble; but I should think that is much more doubtful. The conditions are hardly similar.

36524. It would be difficult to find work for them?—It would be entirely different. After all, the Englishman who goes home from India is an Englishman. He knows, more or less, the methods of Englishmen. The Home Civil Service man, on the other hand, knows nothing of India.

36525. The Chairman asked you what your objections were to admitting Indians recruited by a separate method to the Indian Civil Service, and recognising them as members of the Civil Service. I did not quite understand your answer?—Putting them in in their place, and letting them go up along with the others? My objection to that is this: men recruited into the Commission from the Provincial Civil Service will be men of considerably more advanced age than Civilian Assistant Commissioners rising to the ranks of the higher posts. You get them in at 20 years' and 25 years' service. If you put them in in their place at the bottom of the lowest grade of Deputy Commissioners, what chance have they of rising?

36526. It was not insisted upon that they should be put in at the bottom, but that they should go into the listed post, that they should be put in at that place?—When you had a vacancy, it would be the lowest vacancy. You would promote a man already in, at the top vacancy. A man who comes into a superior appointment must go into the lowest superior appointment. What chance has he ever of rising?

36527. Let us consider that on the basis of a separate examination door. Do you wish to have a separate cadre?—I think it gives you a fairer run of promotion. They are promoted in the place of one another. They are not promoted along with Civilians who are much junior to them in the Service. The point is that eventually you will have all Provincial Civil Service men in your separate cadre. If they are put in at 20 years' service, they are put in as Deputy Commissioners or District Judges. They fill all the lower appointments amongst Deputy Commissioners and District Judges. They have no chance of rising to the top. They never come up for selection to the higher posts of Commissioner, which, I presume, it is intended that they should do. If they had their own separate cadre of superior appointments each of them must rise to the senior grade in that cadre. Their promotion is blocked by Indian Civil Service men. That was the theory underlying my proposal, that there should be a separate cadre. But I recognise the objections to it.

36528. And that there is a desire on the part of Indians to share in the prestige of the Indian Civil Service?—Yes; and that is the great objection to my proposal.

36529. (Lord Ronaldshay.) Your policy, I understand, is to curtail the numerical strength of the Indian Civil Service, and to enhance the status of the Provincial Civil Service by incorporating in its cadre the proportion of posts which you would cut off from the Indian Civil Service?—That is correct.

36530. Would not the result of that be that you would have two Services enormously overlapping one another? You are not going to cut

out of the Indian Civil Service, I assume, the whole of one definite class of posts to incorporate into the Provincial Civil Service: you could not do that, I imagine?—No.

36531. So that the result will be that you will have members of the Indian Civil Service occupying the same posts as members of the Provincial Civil Service to a very much larger extent than now under the listed posts system?—It will be an enlargement of the present system. You already have it.

36532. I agree you have it to a very small extent under the system of listed posts, and it is precisely on this ground that I object to the system of listed posts. But do you not think it would be a really serious objection to your proposal if this system of overlapping were very much increased?—No, I do not see it.

36533. On what grounds are you advocating giving to the Natives of this country a greater share in the Administration? Are you advocating it on the grounds of efficiency?—No.

36534. Are you advocating it with a view to satisfying national sentiment?—Partly.

36535. Let us take for our example the post of Commissioner. If you are going to have an Indian Civil Service Commissioner serving alongside of a Provincial Civil Service Commissioner, do you think the Provincial Civil Service Commissioner will regard himself, or be regarded by others, as a man of equal status and position to the Indian Civil Service Commissioner?—I think that any man so selected as Commissioner would certainly be regarded in exactly the same light as the Indian Civil Service Commissioner.

36536. You think he would be regarded as in every respect the equal of the Indian Civil Service Commissioner?—Yes.

36537. I cannot see what grounds you have for not including him in the cadre of the Indian Civil Service?—My point is this. If you include them in the Indian Civil Service they never have a chance to be selected to be Commissioners, because they can never rise to the top of the rank of Deputy Commissioners unless you bring them in after exactly the same length of service as the Assistant Commissioner is promoted to Deputy Commissioner.

36538. I want to get your opinion as to whether you think sentiment in this country would be satisfied by creating this superior Provincial Service instead of giving the Natives of this country the opportunity of getting into the *corps d'élite*?—It would not satisfy sentiment; but it would satisfy people who took the trouble to think what their material benefit was.

36539. You have said that you advocated the greater inclusion of Indians into the higher posts partly in order to satisfy sentiment?—Yes.

36540. Now you admit that the scheme would not satisfy sentiment?—I do not think you said to satisfy sentiment; I think, you said, to satisfy aspirations.

36541. When you said you advocated this partly to satisfy sentiment, on what other grounds do you advocate giving greater facilities to Indians?—We have set out to educate our Indians and have promised them a larger share in the administration; and we have got to do it. We

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are educating our Indians on English lines with the object of trying to bring them up to our own level; and if we are doing that, surely, we have got to satisfy the promises we have made to them.

36542. You also advocate your scheme in order to satisfy what you regard as legitimate expectations?—Yes; but I do not see why we should consider sentiment too much.

36543. Brush sentiment aside, and you think legitimate expectations would be satisfied by the creation of these two over-lapping Services?—I think they should in my opinion, but I do not say it is certain that they would.

36544. Now with regard to selecting men from the Provincial Civil Service at an earlier age. Of course the Indian Civil Service officer does not get a superior post in the ordinary way until he has served, I suppose, for about eight years?—He gets it, I think, in this Province at thirteen or fourteen years; but he is supposed to get it at eight years.

36545. He is supposed to get it after eight years in this Province, but he does not probably get it until twelve or fourteen years' service. Do you think it would be impossible to pick men from the Provincial Civil Service after they have served for eight or ten years, or, in this Province, for twelve or fourteen years with a view to promoting them to the lowest grade of Deputy Commissioner?—I do not say it would be impossible; but it is a change which would have to be introduced very slowly, because you run the risk of disgusting the senior men. If you started picking men at a very early age, say after twelve years' service, you disappoint all the men above those whom you select. There are men in the Service who think they may end up their career as Officiating Deputy Commissioners at 25 years. You would disappoint all those.

36546. Under the present system your promotion to the Rs. 500 grade of the Provincial Civil Service is not by seniority?—I think it is above Rs. 400.

36547. I will not quibble about the particular grade; but there is a period in the Provincial Civil Service officer's career when he is selected for promotion not by seniority but on his merits?—By seniority tempered with selection. You would not go right the way down to the Rs. 200 grade to take a man into the Rs. 500 grade.

36548. Tempered with selection. Can you tell me whether that system is a source of discontent in the ranks of the Provincial Service?—I do not think it is a source of discontent except to those who are passed over. I think by the Service at large it is approved.

36549. An unsuccessful man, I suppose, is never quite satisfied that he has got his deserts. You really think that that would be a serious objection to the scheme of selecting Provincial Service officers at a comparatively young age for promotion?—Yes.

36550. Would it be an insuperable objection?—Under present conditions, I think it would. Your Assistant Commissioner rises after eight years' service to Deputy Commissioner, and the scale of recruitment is calculated so that he shall do so. There is no such scale laid down for the

Provincial Civil Service, and the Provincial Service is something like twice as large as the number of Assistant Commissioners. Therefore, obviously your field of selection is very much wider, and you must get in men who are considerably older, unless you go right away down to the bottom.

36551. Are you aware that this system of selection of one class to the higher class is, as a matter of fact, put into practice in the Home Civil Service, that a man from a lower Service is selected for promotion into a higher Service?—Yes, I have heard that. I have heard that there are complaints about it.

36552. If that is the practice in the Home Service, do you think that it would be impossible out here in the Indian Service?—I do not know enough about what the Home Service does to say.

36553. If you do not know I will not ask you. I wondered whether you knew of that system?—I do not know whether they select men high up in the low grades, or low down.

36554. With regard to what you say as to the falling off in the popularity of the Indian Civil Service, you have given us a number of reasons why, in your opinion, the attractions of the Indian Civil Service are not nearly so great now as they have been in the past, I should like to ask you exactly what you mean by one of these reasons you have given. You say, "There is a common impression that the Service is looked upon with suspicion and distrust by some of those who ought to be its defenders." I want to know what you mean by that?—I refer to what I have read in the papers.

36555. That you have seen it stated in the English papers that the British branch of the Indian Civil Service is regarded with distrust by people at home?—No. I have read speeches and articles which can only have been inspired by a desire to decry the British Civil Service out here.

36556. You are referring to criticisms which have been made?—Yes. Nobody objects to fair criticism. It is unfair criticism we object to.

36557. What were the attractions which you yourself saw in the Service when you decided to go into it? What was it that really persuaded you to endeavour to become a member of the Indian Civil Service?—It is rather curious. It is very difficult for me to say, because the reasons were very mixed. I never had a relation in India, and I knew nothing whatever about the Indian Civil Service. I think the thing which influenced me most was that a certain boy I knew at school had passed the Indian Civil Service. I asked him about it, and I made enquiries. I said, "If he can, I can." I more or less contemplated the probability of going into business, or possibly being forced into becoming a cleric. I did not fancy that at all.

36558. You thought that the Indian Civil Service would be a more attractive career?—Yes.

36559. You derived that impression from conversation with a man who had already passed into the Service?—One boy who had already passed in.

36560. Do you mean to tell me that at the present day men who have fairly recently passed

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into the Service would not be likely to recommend their younger friends to come out here? Is that what you mean by a "decrease in popularity"?—Yes, undoubtedly. I have heard complaints from men who have come into the Service in recent years. I never heard it among men who came in at the same time as I did. I think it is partly because they come out older, and partly on account of the natural tendency of Englishmen to decry anything which they have to do with.

36561. Do you think that this falling off in attractiveness of which you speak very strongly in your written evidence has had any appreciable effect upon recruitment to the Service already?—I understand that of the careers selected by the successful candidates the higher men always now choose the Home and Colonial. In other words, we do not get the best men who pass through the combined competitive examination. I was under the impression, I am told I am wrong, that the number of actual candidates has fallen off; on the other hand, if the attractions of the Service to Englishmen had not decreased I take it the number of candidates would have increased enormously, because I think the field of selection in England is so much greater now-a-days. There are far more men with intellectual attainments to justify their going up for the examination now than there were ten or fifteen years ago, probably more than double. Therefore the number of candidates ought to be more than double.

36562. Your view upon that point is that you are at the present time getting men who are practically the equals of the men you got in in the past, but as the result of the wider field from which you are now able to select men you ought to be getting men who are even superior to those who come out here?—Yes.

36563. (Mr. Standen.) You told Mr. Ramsay Macdonald that you think it would be fair to set off against the deterioration of prospects owing to the listing of appointments, increase in the rates of pay and also better grading?—An increased number of higher appointments—that is what I said.

36564. You mean an increased number of higher appointments made in any form?—Yes.

36565. Is it conceivable that with an increased number of higher appointments you may have men who have completed 8 years' service holding for a period inferior appointments?—Yes.

36566. Do you consider that in that case vested interests have been satisfied?—No.

36567. The point of vested interests turns on the question whether men of 8 years' service are holding superior appointments?—Yes.

36568. In comparing the pay of an Indian and an Englishman, would it be fair to make an allowance that an Englishman has to make journeys to his own country more or less at frequent intervals and to keep two establishments one at Home and one here?—That is a point which should be considered in offering the rate of pay.

36569. Supposing you are comparing the value of certain pay given to an Englishman with that given to an Indian, and supposing that both are given an equal pay, do you not think that the Indian is better off than the Englishman?—Of course he is.

36570. As regards the age-limit, you wish to reduce it to 18—20?—Yes.

36571. Do you think that it would have the effect of driving away boys from the school at 17 or before?—That is one of the objections to that system.

36572. In your own experience before you passed the examination you did not find that to be the actual case? What was the age-limit: was it 17 to 18?—18 to 19.

36573. Was it not 18 to 20?—It was over 17 and under 19.

36574. Do you know boys who had been at crammers when 16 or 16½ years old?—I could mention cases. But the majority did not go to crammers for more than 1 year or 1½ years.

36575. Then you say that boys leave school at 16 or 16½?—Yes.

36576. Would you consider that too early?—I think that is the objection to the system.

36577. Do you think it possible to get round it by insisting on a certificate that the boy had been at school till 18?—I think it would be a difficulty so far as private candidates are concerned.

36578. Would that be any objection?—I do not think that that would be any serious objection, but it would constitute a breach of freedom of competition.

36579. Do you think there would be any difficulty in distinguishing between a cramming establishment and an ordinary school? There again I do not see how you can.

36580. I want you to give us your views about the separation of the judicial and executive functions. You have had experience of the police department both from inside and outside it. Supposing the police put up a case before a Magistrate in an imperfect manner, what is the Magistrate's duty? Supposing they do not produce all the evidence that appears to be available?—If they do not produce it, the Magistrate will send for it.

36581. Have you ever had to find fault with Magistrates for not taking sufficient trouble in that respect when you were a District Magistrate?—I have had.

36582. Would it be correct to say that it is not an uncommon thing for a Magistrate to do so?—Yes.

36583. Supposing you had then been not in the position of a District Magistrate and the head of the police, but merely a Joint District Magistrate, responsible only for seeing that the decisions of Magistrates were generally correct, and you had no responsibility at all for the maintenance of peace and order in the district, do you think you would have been as keen about detecting instances in which Magistrates have been guilty of neglect of duty?—I think I would.

36584. You do not think that the fact of your being a District Magistrate would not alter your position?—I would perhaps look into the work of the Magistrates rather more closely, because you would have more time to go into calendars.

36585. Supposing these Magistrates were in the same department as the Civil Judges now are and have never been in the habit of considering themselves as Executive Officers responsible for the

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peace and order in the district, do you think that they would have the same feeling as they would otherwise have?—Judging from experience, I should say that there is great difference between the Magistrate and the District and Sessions Judge. A Magistrate looks into things for himself, but a Sessions Judge waits till things are brought to his notice.

36586. One is a Judge and the other is a person with Executive functions?—I was referring to a Magistrate who was separated off and became District Judge.

36587. And who has had Executive experience?—Yes.

36588. Do you think that in that case there would be any objection to the separation of *Magisterial and Executive functions on that score*, that the Magistrate would be less careful in making sure that he had got all the evidence available?—There will be a strong risk of the District Magistrate taking up the position of a Sessions Judge.

36589. There would be risk?—Yes, but I do not think that objection would be such a serious one, not so serious as the others.

36590. As regards the other objections taken, such as friction between the two services, do you think that there is anything serious in that?—There is the risk of friction.

36591. At present does it at all frequently happen that the police and the magistracy are on bad terms?—I have known cases.

36592. And you think that these cases would increase if the head of the magistracy and the police was not the same man?—They would undoubtedly increase.

36593. In the instances you have known, you consider that the administration of justice suffered seriously?—It is bound to suffer.

36594. Have you known instances in which it has certainly suffered owing to friction between the two?—I have.

36595. (*Mr. Thakur.*) You propose a separate cadre of listed posts?—Yes.

36596. If the number of men in the cadre are less than the number of grades, and supposing that only two men that were in it were retiring at the same time, will you give a walk-over to the first grade, there being no one in the intermediate grade? Suppose there are three or four grades and there are only two men of the Provincial Service in the listed posts as at present and both happen to retire at the same time and all the three grades are vacant. Whomsoever you would propose for these appointments in the separate cadre proposed, would you give them a walk-over to the first grade. Such a contingency as I am contemplating is likely to happen, there being fewer men in the list than grades?—I do not quite follow you.

36597. At present there are three grades, and suppose men at the top and the middle grades happen to retire at the same time?—If there are two officers, there can be only two grades. That is my proposal.

36598. What grade would you give them?—I suppose they will be Deputy Commissioners or Sessions Judges?—Yes.

36599. Suppose at present there is one provincial officer who would be in the topmost grade, another in the middle grade, and no other officer in any of the other grades, there being only two, and suppose both retire at the same time and if you have to bring in two officers from the provincial service, will they have a walk-over to the topmost grade? I would leave to the Chief Commissioner to decide it. I cannot conceive the circumstances you mention.

36600. It is possible?—Yes, it is possible, but I cannot imagine it.

36601. Supposing there is only one post in the topmost grade and supposing the officer who holds that post retires, which side will you give it to? Is it to the Provincial Civil Service cadre side or is it to the Indian Civil Service cadre side?—It must be given to the senior man in the next lower grade.

36602. But which side? Will you pass over both men in the higher grades?—I do not understand you.

36603. There is one post of senior Divisional Judge in the Central Provinces, which is open to the Provincial Service. You make a separate cadre?—That post which is reserved for the Divisional Sessions Judge will continue to be reserved for the Divisional Sessions Judge.

36604. When the cadres are separated, there will be a District and Sessions Judge on the Civil Service side and there will be a District and Sessions Judge on the Provincial Service side. There being only one post of Senior Judge, from which side would you promote?—They are different cadres.

36605. To which side will you give the one post?—There is no question of promoting either the Indian Civil Service man or the Provincial Civil Service man.

36606. Supposing you went in for a separate cadre, there is only one senior Sessions Judge?—That will not be transferred, I take it.

36607. Then the Provincial Service will forego their present right of rising to the senior Sessions Judge-ship?—That is purely imagination. The cadre of the higher posts will be fixed according to the merits of the case.

36608. How will the cadre of the Service be separated if all the posts in the cadre are not distributed on each side?—The cadre in the Provincial Service would have certain posts in the line of Deputy Commissioners and Sessions Judges, which would be attached to the Provincial Service cadre, and officers of the Provincial Service would be promoted to those separated posts. They would have no *lug* for the posts reserved for the Indian Civil Service cadre. What actually would be transferred, it is impossible for me to say.

36609. You cannot say whether a post singled out by itself would be put into the Provincial Service or not?—It is impossible to say which is the post that will be transferred. A certain number of posts will be transferred and their pay will be fixed.

36610. That is not my point. To make it clear I will give you an instance. Now there is the senior Divisional and Sessions Judge's post. Suppose there is a problem of separating the cadres, to which side will you give it? Will you

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give another post to the Provincial Civil Service side or will you leave them without it?—I should certainly retain the senior Divisional Sessions Judge's post in the Indian Civil Service cadre.

36611. And leave the Provincial Service side without one?—They might have another or not.

36612. Will not your objection to Judges who have civil work being appointed Sessions Judges be obviated by having Judges to do both civil and criminal work together? Instead of there being a separate Magistrate and a separate Civil officer, if the same gentleman did both kinds of work, civil and criminal, will he not be trained in civil and criminal work and be fit to be promoted in time to the Sessions Judgeship?—If civil judges did criminal work, that is if subordinate civil judges did criminal work, then the objections to promoting them to be Sessions Judges would disappear, so far as that objection is concerned.

36613. That is the only objection, I suppose?—Yes.

36614. About the deficiencies of a case being made up by a Magistrate, are there not public prosecutors who appear before magistrates?—Every district has got a prosecuting Inspector.

36615. Will it not be his duty to see what are the deficiencies in a case and to make up all the deficiencies?—He appears in under 5 per cent. of the cases in a district.

36616. You do not expect in the course of development he should appear in all important cases?—He does appear in all important cases.

36617. If there is anything wanting in a case, is it not his duty to bring it before the Magistrate?—In important cases he does it, if he is an efficient prosecutor; but in the 95 per cent. of the unimportant cases, which are the cases that really concern the people, the matter is different. There is no prosecutor; and there is no one to put right a deficiency, except the Magistrate.

36618. Do any of them fail for want of missing links or something of that kind?—They may or may not fail. But the prosecution record is not as complete as it might be.

36619. Would it not be anomalous for a Magistrate to take up the position in every case of judge and prosecutor? If a case is not clearly put before him by the prosecution and if there is anything wanting in the case, you say that he should himself move and try to make up the deficiency in the case?—Certainly not; but it is the duty of the Magistrate to see that justice is done.

36620. It is the duty of everybody to see that justice should be done?—It may be that the prosecution side may not call a witness, whose evidence may help the accused. The Magistrate can call that witness as a court witness. He has power under the Criminal Procedure Code to call for court witnesses.

36621. That he can do whether on the one side or on the other. Whether a Magistrate is on the judicial side or on the executive side, he can always exercise the powers conferred upon him. What is the special difference that will be made in the case of a magisterial officer who is on the executive side?—There is no difference. I suppose he

would still call court witnesses, as if he were on the executive side.

36622. Whether he is on the civil side or on the executive side it makes no difference, so long as the Criminal Procedure Code gives him the power to call for fresh evidence?—He would retain exactly the same powers in trying cases as he does at present.

36623. In answer to question (104) you say that a Provincial Service officer may get full pay, if he is put in certain posts, and two-thirds of the pay if he is put in certain other posts. Will you kindly let us know on what this difference is based? On what ground should he draw less pay when he fills a certain post and should draw the full pay when he fills some other post?—I think I have stated the grounds.

36624. Nothing else except that he is specially put in?—He is specially selected for an important post over the heads of Europeans who might equally have been selected. If he is specially selected, his value should be considered with reference to the value of the European officers on the same post.

36625. You take the post of Deputy Commissioner and Commissioner. When a Provincial Service officer is selected for a Deputy Commissioner's post, he is also selected for his proved ability and merit?—Not as compared with European officers. He is selected for a certain post which is reserved for the Provincial Service.

36626. I take it that your proposal is to have a separate cadre for the Provincial Service. Would the post of Commissioner be also reserved for them?—My idea is, if a member of the Provincial Service cadre is selected for an appointment like that of a Commissioner, the Provincial Service cadre would lose one of the Deputy Commissioners' posts so long as a member of that Service held the post of a Commissioner, so that the total number of superior appointments would not be exceeded.

36627. This post of Commissioner would not be in the Provincial Service cadre, according to your scheme?—I would not be prepared to put it, at present, in the Provincial Service cadre.

36628. How will the promotions for this post be managed?—He will be selected for it.

36629. Can he be promoted to a post without the post being in the cadre?—I suppose that could be arranged.

36630. In settling the pay of these listed posts will the doctrine of supply and demand apply to them?—There will be two rates of pay.

36631. You say "the question appears to be entirely one of supply and demand." As regards the listed posts the men to be selected for them are from a small circle, and if that be so, is there any room for applying the doctrine of supply and demand in that case?—The rate of pay would certainly be fixed by the doctrine of supply and demand. For certain posts you would attach a certain rate of pay sufficient to attract the class of men that you want to get.

36632. I suppose men are to be selected from the Provincial Service. It is not of their own choice that they will get in, some members would be selected and put in?—Quite so.

36633. Then there is no question of supply and demand?—That will come in when he enters the

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Service. Suppose you are able to offer only appointments on Rs. 200, you would not get that class of men that you would get by offering appointments on Rs. 800 and that is what I mean by supply and demand.

36634. Except that consideration, there is no other consideration which enters into the matter?—There are other considerations. It is not an

absolute consideration of the rate of pay. If you do not get your men, you must offer a rate of pay that will not only attract the men that you want, but that will enable them to maintain their position in a proper manner.

(The witness withdrew.)

PANDIT GOVIND RAO SAHASRABUDDY, Member of the Local Board, Linga.

Written answers relating to the Indian Civil Service.

36635 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory in principle. Because it has produced best servants: who have done the best work one can do under most trying and complicated circumstances.

36636 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is equally good for "Natives of India."

36637 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not in favour of simultaneous examinations in India and in England. Because the man who can be fit for work in India must be well versed in Western education, culture and science. The model for Indian improvement is England. The man who does not know England can do no good to India. I beg to say that simultaneous examinations are advocated by many and many grounds are put forward in support of it. But on the face of it these two appeal the most, *viz.*, (a) the expenditure incurred by the Indians in going to England, (b) sending young men to England where so remote from home and friends he may fall with bad associations and learn bad habits; (a) Unless the boy shows special intelligence in his studies at colleges here, the parents do not make up their mind to send him to England for Indian Civil Service examination. Now if he is successful the good pay (from Indian point of view) he gets here on his return is quite sufficient to make good the amount spent. For the poorer intelligent class some scholarships may be created to be given after some University qualification. (b) The Indians and their friends in England must make arrangement for better supervision than that at present. They are seriously thinking of this at present. This is a manageable evil and can easily be removed.

36638 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do

you recommend?—Requires no answer, from my point of view, as I strongly maintain that education in India cannot at all compare with that of England.

36639 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I propose that some appointments should be made in India to the Indian Civil Service: 25 per cent. in my opinion is enough. I would like the method (b) combined nomination and examination. The examination must be some university one and while nominating the authorities should consider the claims of different communities. Certain rules will of course be necessary for the guidance of the authorities.

36640 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—They should still be eligible for appointment in England.

36641 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would like it to be supplementary, otherwise where is the increase in number of posts for the Indian "Natives of India."

36642 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The Judicial Branch must be recruited from men having law degrees. At present there are many Indian Civil Servants with law degrees, and if some more consideration is shown for qualifications in law we will easily get men with law knowledge sufficient for judicial work.

36643 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for

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[continued.]

temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The definition is quite good, as it puts every Indian subject of the King on an equal footing.

36644 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The age I would recommend must be 23. This will help the Indian student as the Indian university does not permit to matriculate under the age of 16.

36645 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—At the age of 25.

36646 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The age-limit of 23 as suggested by me is particularly in the interest of Natives of India and I believe this will very well suit both.

36647 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of recruiting military officers in the Indian Civil Service should be re-introduced in my Province (Central Provinces); because some 15 years ago they were here, and there is hardly any district in the province where some good Colonel's memory is not cherished for some noble deed done for the district people.

36648 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers, from other Indian services?—My experience is limited to military officers only.

36649 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—This is a good system and gives encouragement to the members of the Provincial Civil Service.

36650 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—They must undergo a probation.

36651 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The probation must be for two years. The probationers must learn the language, agriculture and settlement of the Province to which they are posted. They must study the people and country

in general. Small routine even as little things make much.

36652 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—If the Natives of India are posted to the Province to which they belong, in that case they will be required to study very little of the things mentioned in question (30), but if they are posted to some other Province, then the difference between Province and Province is such a great one that both shall have to study equally hard.

36653 (32). Do you consider that the probationer's course of instructions could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India, and of other natural-born subjects of His Majesty?—Probationer's course should be spent in India both by Natives of India and other natural-born subjects of His Majesty, and the place must be province in which he is to work.

36654 (33). Do you think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No college is desirable. The best places will be the public offices and the Government firms, etc.

36655 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—The Provincial Governments should arrange for training at such places as they deem proper for instructions.

36656 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I am not satisfied. In fact there is very little training. My suggestions for the change, *vide* answers (30) to (34) both inclusive.

36657 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think there has been a deterioration for reasons: (a) There are now many good English books on subjects Indian. (b) Almost all good vernacular books have been translated. (c) In the office too he hardly has the use of vernacular as all his subordinates know English. Some 20 years ago, there were Tahsildars, even Deputy-Collectors, who knew not English. (d) The standard of departmental examination also is not sufficiently high. He must learn vernacular simply for test of the language, for which he has very little time. They can attain proficiency not in Indian vernaculars, but in Arabic, Sanskrit, and Persian. There are examples of this in this Province.

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36658 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—Law ought to be made a compulsory subject for Indian Civil Service examination. For Judicial Branch they ought to take some Law Degree not less than LL. B. standard.

36659 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Two years of probation suggested for service in general must be spent by the Judicial Branch in subordinate Judicial Service. They may be called Assistant Judges.

36660 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Nothing is desirable.

36661 (41). If you have recommended the introduction of any scheme of direct recruitment in India, for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—For direct recruitment to the Judicial Service, the candidate must have practised at the Bar for not less than three years and then no separate training is required.

36662 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No difference is necessary.

PANDIT GOVIND RAO SAHASRABUDDHY called and examined.

36669. (Chairman.) You are a member of the Local Board of Linga?—Yes.

36670. Have you served in the Provincial Service?—I was for a time Naib Tahsildar.

36671. For how many years did you occupy that position?—For nearly three years.

36672. What is your caste?—I am a Mahratta Brahman.

36673. You do not like simultaneous examinations because you think that an Indian who does not know England cannot be of use in the Indian Civil Service, and you reject a separate examination for the same reason?—Yes.

36674. You would recruit 25 per cent. of the Indian Civil Service by combined nomination and examination in India?—Yes.

36675. What is the examination to which you refer?—Any University examination.

36676. You mean that you would recruit by some form of nomination and selection from among those who have taken their degrees at a University?—Yes, that is what I mean.

36677. Would you place such recruits directly into the Indian Civil Service?—Yes, but they will

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36663 (51). Please refer to Government of India Resolution No. 1046—1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The rules are good and fair.

36664 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36665 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—As far as my province is considered, there is a fair division.

36666 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—It is quite satisfactory.

36667 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—If better pay is given, it will attract better men specially in Judicial Branch, as professional men in Service compare their income with those in profession.

36668 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—The rule is good.

require some training.

36678. What training would you give them first?—Training in executive work or judicial work, whichever they will have to do.

36679. Would you send them to England for training?—Yes, for two years.

36680. You would keep the listed posts in addition and you would also give certain State scholarships to enable more Indians to pass in England?—Yes, for more Indians to pass.

36681. If all these processes were in operation at the same time, would you not be recruiting for the Service a very large number of Indians?—Not necessarily, I say 25 per cent.

36682. But if you retain the whole of the listed posts how many scholarships do you suggest should be given?—The number of scholarships depends upon funds, upon the money that we can spend upon it.

36683. How many scholarships do you propose to give?—At least ten.

36684. You anticipate that some of the scholars would be successful?—Yes.

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36685. You are going to get 25 per cent. into the Indian Civil Service by nomination?—Yes.

36686. Then you will have a good deal more than 25 per cent. of Indians in the Administration?—Yes.

36687. You are prepared for that?—Yes.

36688. In your answer to question (60) you refer to the relative attractions of the Bench and the Bar. What sort of incomes are, in your experience, being made by average men at the Bar now?—The average income is nearly Rs. 500 or Rs. 600 so far as good pleaders are concerned.

36689. What income should you say that an Indian gentleman occupying a position of responsibility would require to maintain himself and his family, taking into consideration the present cost of living?—Anywhere between Rs. 800 and Rs. 1,000.

36690. Do you think that practising lawyers with established positions would be likely to take up judicial appointments if an opportunity were afforded to them?—They will, if they are given pay equal to their earnings in the profession.

36691. You suggest that the probationary period should be spent in India by European civilians?—Yes.

36692. And you lay stress on raising the standard of the departmental examinations in the vernacular languages?—Yes.

36693. You think that the form of training given to Civilians in the vernacular languages should be improved?—Yes.

36694. Is it your experience that there has been deterioration on the part of civilians in speaking the languages of the country?—Yes; there has been deterioration.

36695. To what do you attribute that?—Because they require now very little use of the vernacular in their office work. Almost all the clerks know English and all the attractive vernacular books have been translated into English, and therefore if they want to study the vernaculars, it must be merely for the taste of the language.

36696. In other words the whole administration has developed so greatly in recent years that the civilian has not the opportunity of constant contact with the Indian that he had under a less developed régime?—Yes.

36697. (Lord Ronaldshay.) You say, at the end of your answer to question (6), "the Indians and their friends in England must make arrangements for better supervision than that at present." That is to say, supervision over Indian students who go to England to prosecute their studies. "They are seriously thinking of it at the present moment. This is a manageable evil and can easily be removed." When you say that they are seriously thinking of it at the present time, do you mean that they have actually any scheme which they propose to put into operation—any scheme of supervision over Indian students?—They are thinking of it.

36698. They are only thinking of it and they have not got beyond the stage of thinking?—That will be developed, I hope. Many a big man is thinking about it and it will be successful.

36699. Have they got any definite proposal in their mind for dealing with this matter?—Not yet.

36700. Nothing definite?—Nothing definite.

36701. (Sir Theodore Morison.) In your answer to question (22) you say "there is hardly any district in the province, where some good Colonel's memory is not cherished." Do you think that Military officers are more popular with the people than Civilians at the present day?—With some classes they are more popular. For example with the members of the Rajah's families and Talukdar's families, they are more popular.

36702. With what classes are they not popular?—With the pleader class.

36703. On the whole, you think that they are more popular?—They were more popular. Times may be responsible for it. Times have changed now. In those times they were more popular.

36704. (Mr. Madge.) You say in answer to question (6) that "the man who does not know England can do no good to India," and you strongly object to the simultaneous examinations, because "the man who can be fit for work in India must be well versed in Western education, culture and science. The model for Indian improvement is England." Do you not believe that India has produced men of talent and character, who commanded the respect both of Indians and Europeans, though they had not been to England?—There have been such men, India has produced such men. What I mean is men who have to govern India and who are to give Indian people a culture.

36705. I do not want to mention names, but we have had names mentioned of eminent Indians who were respected and admired by everybody who knew them. How did they come up to that condition?—They must have had great social intercourse with Europeans and must have had European friends.

36706. You think that touch with Europeans in India has transformed them?—Yes.

36707. In answer to question (31) you say that "the difference between province and province is such a great one, that both shall have to study equally hard." Applying this principle to the points other than that to which you have referred, do you think that the difference is so very great that there are objections to men of one province being given appointments in another province?—Yes. Men from Bombay will not do for Bengal, because Bengal is a different country from Bombay.

36708. That would mean that the feeling of nationality as we hear it spoken of is a bit of romance?—I do not mean that. I mean only for the purpose of learning the country. In the matter of knowing the habits and the customs of the masses and in learning the nature of the work to be done, they shall have to learn them equally with the foreigners coming from England. If for an instance a Madras is put into the Bengal service he will have to learn as much about the Bengal service as an Englishman.

36709. You are not comparing Englishmen and Indians in your answer to question (31), but you are referring to Englishmen and not to Indians?—I am referring to Indians also. If an Indian from the Bombay Presidency, after passing the Indian Civil Service examination, be posted to the Punjab, he will have to learn as

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much about the Punjab, as the Englishman who passes the Indian Civil Service, and is posted to the Punjab. Being a Bombay man, he will have no idea of the ways of the Punjab man and he has to be there at least for two or three years before he can learn the manners and the customs of the Punjab people. Life in Bombay is quite different from what it is in the Punjab, and the same is the case with regard to social matters also.

36710. You say in answer to question (36), that the standard of departmental examination in vernacular is not sufficiently high. Would you give them other subjects or more text-books? What is your idea?—I would give them difficult text-books, and I would ask them to study the language with grammar and learn the colloquial portion of it. The standard must be as good as the primary standard in the vernacular school.

36711. You want to raise the departmental examination to the primary standard?—To the standard of the upper primary schools—vernacular schools.

36712. You have recommended that, if the method of recruitment in India is to be adopted, it has to be a system of combined nomination and examination. Why do you want nomination and examination in India?—To satisfy the claims of the different sects of the community in India. Muhammadans, Mahrattas, Bengalis and others, representing other communities, should be nominated in the Province.

36713. Why do you want different communities and sects to be represented?—Every community must have its men in the Government. They must have equal claims for the Service.

36714. Every community desires to have its own men in Government service?—Yes. They want to have positions in the cadre.

36715. Every community desires its own men to have a position in the cadre?—Yes.

36716. Will there be any practical difficulties accruing, if this does not happen?—No, there will be little outcry, sorrow and regret.

36717. Does it really affect the efficiency of the administration or does it not?—It will affect the administration. Suppose there is a question to be decided for the good of a community, Muhammadans, Mahrattas, or Bengalis, the members of the particular community must take part in deciding its own questions.

36718. So far as your own province, the Central Provinces, is concerned, do you wish the system of separate recruitment to be restricted to the Central Provinces?—I do wish.

36719. Would you object to a Mahratta Brahman of Bombay coming to your province and serving here?—I do not object on personal grounds. Why should they come here? There is Bombay for them; and we have Central Provinces for us.

36720. You want to keep the Central Provinces for the residents of the Central Provinces?—Yes.

36721. (Sir Murray Hammick.) I should like to know your history exactly. You said you were a Naib Tahsildar?—Yes.

36722. For how many years?—For nearly three years.

36723. Then you resigned the Government service?—Yes.

36724. How long were you in Government service altogether?—Altogether for seven years. I was in the ministerial line.

36725. I suppose you are a landholder?—I am a malguzar.

36726. You do not plead in Courts?—No. I am not a pleader.

36727. Where is the Local Board of Linga?—It is my village, Malguzari Village, in the Narasinghpur District.

36728. That is up in the Narbada Division?—It is in that division.

36729. Is it a Tahsil Board?—Yes.

36730. What is the Tahsil?—Gadanvara Tahsil.

36731. You are a native of that country?—I am domiciled there.

36732. You have always lived there?—Yes.

36733. Your forefathers lived there before you?—Yes.

36734. You want very much to keep the service in the Central Provinces for the Central Provinces people?—Yes.

36735. You do not wish to see outsiders coming to the Central Provinces?—No.

36736. You are not satisfied with the way in which civil officers speak the vernacular language now?—No. I have seen a Commissioner addressing a Durbar in English, while 99 per cent. of the people comprising the Durbar did not know English.

36737. How old are you?—40 years of age.

36738. You think that when you were a boy they spoke the language better than they do now?—Yes.

36739. You do not like a Durbar being addressed in English when a great many of the audience do not know the language?—I do not like it.

36740. So you would like to see them talk the language a little better?—Yes.

36741. What you want then to see, is that a Civilian of the Central Provinces is able to talk the language of the educated people better than he can now?—Yes.

36742. You would like to see the colloquial test made more severe?—Yes.

36743. You are satisfied with the present system of appointing judges in the Central Provinces and you don't want to see any alteration in it?—No.

36744. You would like to see some more Indians come into the Indian Civil Service by a system of nomination, and you are against simultaneous examinations because it would not prevent you from getting into the district people of one class and you would like to see a fair distribution of appointments among all classes of the population?—Yes.

36745. (Mr. Standen.) You say that you would like all important communities to be represented in the Government service. Do you think that the appointment of a member of one of the depressed classes, say a Mahar, would be resented?—It will not be resented.

36746. You think that other officers who might be his subordinates would work well with him?—Yes.

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[concluded.]

36747. Are there any large firms of money-lenders in the district?—There are two or three large firms.

36748. Do they deal in several districts?—Yes. There are two or three biggest bankers.

36749. Do you think they contribute a considerable proportion of civil cases?—Yes.

36750. You could not give an estimate?—In the majority of cases they are the plaintiffs. Firms give notice only once and then go to Courts, whereas Sowcars go to their debtors twice or thrice and get the money. If the firm gives notice and if the money is not paid in due time, they go to Courts.

36751. A large portion of Civil Work is confined to half a dozen firms?—Yes.

36752. Do they employ standing counsel?—They employ permanent counsel for district courts.

36753. These gentlemen who are permanent counsel not only appear for them in their cases in court, but also advise them whether they should institute a case or not?—They advise the firms. They advise them to institute, or compromise cases; and in all financial matters.

36754. Would it be true to say that these gentlemen are confidential advisers of these firms in all matters?—Yes, they are. In Narasinghpur, Rai Bahadur Balnadas & Co. are the richest bankers. There is a local branch, who represents them.

36755. It has been suggested that judges should be appointed from the bar?—Yes.

36756. Suppose you had a case against a firm of bankers in your district, would you care to have on the bench a member of the bar who has been their standing counsel?—I would not mind it.

36757. You think that his former experience as an employé of the firm would not affect his decision at all on the bench?—No.

36758. You think it would be true in all cases or in rare cases?—True in many cases.

36759. Have you ever known cases of persons who are commonly believed to be offenders and

who are let off by courts?—No. I have heard a great deal. I have known some cases where people on the spot know a great deal better. People who hear reports form wrong opinions.

36760. You mean to say that you have not known cases where criminals commonly believed to be guilty have been let off?—Knowingly nobody lets a criminal off.

36761. I am not suggesting anything dishonest. But have you known cases in which the result of the retrial has been quite contrary to public expectations?—I have known.

36762. Some cases are tried by Sessions Judges and some by District Magistrates?—Yes.

36763. Suppose a well-known *Budmask* broke into your house and stole your property, would you rather have him tried by a Sessions Judge or a Local Magistrate?—By the Local Magistrate.

36764. Why?—He knows the locality; he knows what kind of man I am and that I would not make a false complaint to the police.

36765. It has been suggested that a Sub-Divisional Officer and a Tahsildar should no longer try criminal cases?—There can be much said about it. I am in favour of Deputy Collectors trying cases. Tahsildars are second class Magistrates and they do not try important cases; but Sub-Divisional Magistrates try to do their best.

36766. It has been suggested that these Sub-Divisional Magistrates should no longer try criminal cases. That is to say, an officer who goes round the place on revenue business to enquire into land acquisition cases and revenue remissions and so on, should no longer try criminal cases?—There would be still less difficulty to get justice.

36767. It is suggested that Civil Judges should try criminal cases?—Civil Judges not knowing the district, not knowing the state of the crime, may do justice in individual cases and apply the law properly. But if you want to keep down crime, it is better that it is in the hands of the District Magistrate.

(The witness withdrew.)

H. M. MALAK, Esq., Merchant.

Written answers relating to the Indian Civil Service.

36768 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system works well in the sense that the Civil Servants turn out generally competent men. It is unsatisfactory in the sense that it practically excludes the children of the soil from serving their country by entering in it and thus affords them no opportunity to develop their administrative capacity.

36769 (2). In what respects, if any, do you find the present system faulty in detail and what alterations would you suggest?—The competition as at present imposed puts (i) unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language; (ii) unequal

risk on the Indians desiring to enter it as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove unsuccessful; (iii) unequal expenses on Indian parents as their sons have to go to England, stay and study there at great costs. The system thus does not treat all the subjects fairly. Simultaneous examinations taken both in India and England of identical nature would to a great extent remove these inequities. All who compete for it here as well as in England should be finally classified in one list according to merit. The Indians may be allowed two or three years more as age-limit, to compensate them for the difficulties of competing in a foreign language with Englishmen who have to master their mother-tongue only, or the Indians may be given more marks in the foreign languages in view of the unequal difficulties put to Indians, or principal vernaculars like Urdu or Hindi may be required to be mastered by English candidates.

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36770 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. The system has practically excluded Indians from the Indian Civil Service, though they are trying to get in it for over three-quarters of a century and though every successive August Sovereigns have enjoined on their Ministers to *freely and impartially admit to offices in our service, the duties of which our subjects of whatever race or creed may be qualified by their education, ability and integrity* duly to discharge.

36771 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The three services should not be combined as I think it would admit Colonials to Indian Service to which they are in no sense entitled, specially as the British Indians are not fairly treated by the Colonial, and it would tend to exclude the Indians still farther. If Colonials, under the present circumstances, are allowed to enter the Civil Service of India, Indians will very much resent it.

36772 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—The system of recruitment by open competition is to my mind the best, but should be fair and just to all the candidates who are subjected to it.

36773 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I would consider a system of simultaneous examination in India and in England as absolutely necessary to redeem the pledges of the Sovereign to improve the administration of the country and make the people more loyal and contented.

36774 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would not recommend any examination or test which is not of an identical nature for all, be they British or Indian. If Natives of India are recruited by any other method, they would not command the same respect from their colleagues and people in general.

36775 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The answer to this question has been anticipated by me in my

reply to question (7). I would see that all classes and communities are presented in the Service by competition. Nomination should not be the door.

36776 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Judicial branch of the Indian Civil Service may be partly recruited from among the members of the Bar, who may be qualified by their experience, higher law tests and status as practitioners.

36777 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Viet. c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only, irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not state fully any proposals that you wish to make in regard to this matter?—I would like to avoid the use of the term "Natives of India" as far as possible, as for various reasons the term is resented by the Indians. I do not know how to bring this about by a change in the definition.

36778 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons.—I do not know exactly what age-limit should be fixed, but concession may be shown to Indians, who are required to compete in a foreign language. See my answer to question (1).

36779 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—I think they may begin at twenty-five.

36780 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India; and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—Yes, I should allow Indians two or three years more owing to their special difficulties.

36781 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I should like to put in Oriental languages and Indian History among the subjects. I do not know what further changes may be made as to marks, etc.

36782 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I think such a proportion is not practically necessary as I believe Indians will not for a long time, I can think of, swamp out Englishmen, but if minimum need be fixed I would as a practical man reserve one-third as the minimum for the Englishmen or rather men recruited in the United Kingdom of Great Britain and Ireland (I do not take into consideration the Colonials).

36783 (20). Do you accept as generally satisfactory in principle the present system under

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[continued.]

which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—See answer to my question (4). I would not have any special arrangement for Indian recruits provided the competitive examination is made fair to both Indians and Englishmen.

36784 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statutes of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

36785 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If Provincial Service men could be taken to listed posts at mature but not old age, it may be better, but if simultaneous examinations are introduced I would not keep any listed post (or Indian Civil Service posts) for Provincial Service men.

36786 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—I think after they pass the competitive examinations they may be required to undergo probationary period of a year or two.

36787 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Test about languages and local laws and knowledge about Indian polity may be required of them, just as similar tests are imposed on Provincial Service men, after they enter it.

36788 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Part of the time of probation may be spent by Indians in England and by Englishmen in India. They may be required to work under senior officers in those countries. Thus I would require English students six months' work in England and one and a half year's probation in India. Indian students may be required six months' probation in India and one and a half year's probation in England. During this period I think Indian Civil Servants should be required to acquaint themselves with English system of administration as also with Indian system of administration. They may also be required to pass the same time the test required in my answer to question (31).

36789 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I think there should be a college in England as well as one in India to which the probationers may be attached and where the additional subjects be taught.

36790 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think the junior officers under the present arrangement lack in knowledge about India and its people, and probation be required of the recruits. See answer to question (32).

36791 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think partly because English education is increasing in India there is some deterioration in the acquisition of knowledge of the vernaculars on the part of Civil Servants. But I do not think any special arrangement is needed for increasing this knowledge.

36792 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—If not, what rates do you suggest for the various grades of the Service?—I would not make any difference in pay of the Indian Civil Servants of whatever nationality they be. Indians require the same pay as Englishmen if they are to keep up to the style and dignity of an Indian Civil Servant. The Indians (Natives of India) require owing to the joint family or semi-joint family system of the country very large expenses for maintaining and upbringing of their family.

Written answers relating to Provincial Civil Service.

36793 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think the principles embodied in Government of India Resolution Nos. 1046-1058, dated the 19th August 1910, are sound. But I would add that if any particular community cannot give an adequate number to represent them in the Provincial Service (the whole Provincial Civil Service) recruitment may be made from other Provinces for the purpose.

36794 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—The recruitment of the Provincial Service (the whole Provincial Service) should ordinarily be restricted to the Province to which it belongs, but in the case of Muhammadans and other important communities, if they are not up to the mark in education in any particular Province, recruits should be made from other Provinces also, so that all classes may be properly represented in

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the Provincial Service. I think that all classes as far as possible should be represented in the service.

36795 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the

terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The conditions of Provincial Service (the whole Provincial Civil Service) as regards salary should be adjusted to a consideration of the terms necessary to secure locally qualified officers.

MR. H. M. MALAK, called and examined.

36796. (Chairman.) You are a General Merchant?—Yes. I am a General Merchant of Nagpur.

36797. Have you resided here for many years?—For the last 20 or 21 years.

36798. Do you occupy any public positions here?—I am a Member of the Municipal Committee; I am the President of the Anjuman; I am the Vice-President of the Moslem League; I am a Trustee of the Aligarh College, and several other functions I perform.

36799. You would like to recruit for the Indian Civil Service by examinations held simultaneously both in India and in England, identical in every respect?—I am in favour of the simultaneous examinations on an equal footing.

36800. In your answer to question (18) you say that you would, as a practical man, reserve one-third of the Indian Civil Service as the minimum for Englishmen?—Yes, it will do for some 50 years. That is the highest aspiration that I can put. It will take some time to publish the report of the Commission and I do not mean to say that in the course of two or three years that percentage will be reached. It will take a long time for that percentage to be reached.

36801. You anticipate that it will take a long time before the candidates are successful in the Indian examination?—Yes, about two-thirds. It will take long time to reach it.

36802. I gather from your remarks that you would like to see the European element retained in the Administration, although you will be satisfied with a comparatively small number of Europeans?—Yes, the Indian element will be two-thirds and the European element one-third.

36803. You say in your answer to question (15) that you would allow Indians two or three years more owing to their special difficulties?—Yes.

36804. To that extent you rather modify the main principle, which underlies the demand for simultaneous examinations, namely, that there should be equality between Europeans and Indians?—Indians have to learn foreign subjects, whereas Englishmen have to learn subjects in their own mother-tongue. For that reason, Europeans may be made to learn Indian languages, Hindi or Urdu; but if that is not done, two to three years may be given to Indians.

36805. In effect, your scheme would mean, I take it, that there would be an examination held in India supplementary to the open examination in England?—Yes.

36806. But it would not be a simultaneous examination, if it was not held at the same time?—No. It must be held at the same time. The same questions, the same subjects and the same time.

36807. I see that you would hold the examinations simultaneously, the only difference being,

the respective ages at which you would allow the candidates to go up for them. At what age would you allow Europeans to compete?—Let it remain as it is. To make up for the special difficulties which Indians have to undergo, I think some concessions may be shown to them. Either Englishmen may be made to study Indian languages or some more marks may be given for the subjects that the Indians have to learn in England. But the simultaneous examinations, if held in India, will put them on an equal footing.

36808. Your proposal suggests that an Indian should appear for the examination three years later than the Englishman. To that extent they would not be on an equal footing?—If the special difficulties in the way of Indians are removed, there is no necessity for extending the age-limit.

36809. What do you mean by special difficulties?—They have to learn foreign languages. If the simultaneous examinations are held in India and England, if the candidates are to be put on an equal footing, the same subjects, the same marks, and the same age, then Europeans will have to learn Indian subjects while Indians learn English subjects. Then it will be all right.

36810. Then you suggest a difference in the syllabus of the examination?—Yes.

36811. Then you will have optional subjects more suitable to Indians?—In answer to question (2) I have given the details. I have said: "The competition as at present imposed puts (i) unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language; (ii) unequal risk on the Indians desiring to enter it as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove unsuccessful; (iii) unequal expenses on Indian parents as their sons have to go to England, stay and study there at great costs. The system does not treat all the subjects fairly. Simultaneous examinations taken both in India and England of identical nature would to a great extent remove these inequities. All who compete for it here as well as in England should be finally classified in one list according to merit. The Indians may be allowed two or three years more as age-limit, to compensate them for the difficulties of competing in a foreign language with Englishmen who have to master their mother-tongue only, or the Indians may be given more marks in the foreign languages in view of the unequal difficulties put to Indians, or principal vernaculars like Urdu or Hindi may be required to be mastered by English candidates." Those are the reasons why the simultaneous examinations may be held.

36812. You mean that if optional subjects were introduced to suit Indian candidates, then the

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examination might be held at the same time and at the same age for Indians and for Englishmen?—Yes.

36813. Do you think that the various communities will be sufficiently represented under a system of open competition?—My idea is that it is for the Indian loyal subjects of Their Majesties the King and Queen to show their efficiency, their competency and their worth, and then if the British Government think that in the interests of the best administration and to see that there is no agitation and that there is satisfaction and contentment among all classes of the communities, then it would be a question for the Government to decide whether there shall be proper representation of all the communities or not. As loyal subjects we are bound, and we must show that we are prepared, to serve our country in the best way possible and to see that we acquire efficiency.

36814. (Sir Murray Hlamnick.) I suppose you have not been to England?—No; I had no occasion.

36815. Do you think that if you had simultaneous examinations next year any Muhammadans would get in—be successful?—In the first place it will be impossible to have the simultaneous examinations next year. It will take long time to introduce them. The sooner they come to know of it the earlier will they prepare themselves.

36816. If you had an examination next year you do not think that any Muhammadans would get in? Or do you think they would?—They would have to study the subjects.

36817. How long do you think it would take them to study the subjects?—It will take at least four or five years.

36818. Then you would not like to see the simultaneous examination started for four or five years; you would like to have it put off for four or five years?—Yes.

36819. You think that in four or five years Muhammadans would have a good chance of getting a fair amount of appointments?—Yes, as they are getting at present. As far as the appointments are concerned, it will be arranged in the same way as it is done at present.

36820. If you put off the simultaneous examinations four or five years, do you think that Muhammadans will then get a fair proportion of the appointments?—I would advise the members of my community to strain their every nerve to come to the fore-front. Though on account of their minority they may not come out successful in equal numbers to that of the members of the other communities, still Muhammadan community would produce such able men as they can, according to the minority, do service to the country.

36821. You would like to see Englishmen going up for these examinations at 23 and you would like them to come out at 25. You say that you would like junior civilians to begin their work at 25. You say he has to have probation for 1½ years in India and six months in England, so that he would have to go up for the examination at 23. You would like to see Indians go up for the examination at 26?—He would have three years given to him.

36822. You say in your answer to question (2) that Indians may be allowed two or three years?—Yes.

36823. So that the Englishman will have to go up for the examination at 23 and the Indian would go up for it at 25½ or 26?—Going into the service.

36824. For the simultaneous examinations?—The simultaneous examinations will be arranged in such a way that there will be the same sort of questions and the same syllabus, in which case that is not necessary.

36825. There is difference in age?—That is in regard to the present system. We are mingling both. This is with reference to the English examination in England and therefore there is this difference in age.

36826. Are you referring to the English examinations in England or to the simultaneous examinations in India?—To the English examination in England.

36827. If you have the simultaneous examination in India, you would not give the advantage of age to the Indian; he would go up for the examination at the same age?—In that case I would not insist upon it.

36828. It is only for the existing system in England?—Yes.

36829. You think that if an Indian goes for the English examination in England he ought to have two or three years' benefit, that is to say, he should be allowed to go up for it two or three years later?—Yes.

36830. In your answer to question (24) which relates to the Provincial Service you say that if you had the simultaneous examination, you would take away all the listed appointments from the Provincial Service. Do you not think that it would make the Provincial Service very unpopular?—Why so?

36831. They would lose some of the good appointments which they now have?—In the first view, they would lose for some years, but there would be no loss.

36832. You mean the people who went in for the Provincial Service would pass the simultaneous examinations and go into the Indian Civil Service?—Yes.

36833. Is that what you mean?—Yes.

36834. Still the Provincial Service would be discontented, because they would have no appointments to look forward to, as they have now?—Those appointments would be filled by those who pass the examination.

36835. Still the men in the Provincial Service who can now look forward to becoming Deputy Collectors would no longer look forward to them, so that they would be disappointed. Would they not?—For the first few years they would be disappointed; but afterwards they will not. When they pass the examination they will feel all right.

36836. In reply to question (32) you say that it is quite enough that Indian students should go to England for one-half year's probation and learn what goes on in England. You think that would be quite enough?—It is one and a half years, not one-half year. It is a mistake in print. I have corrected it to one and a half years or eighteen months.

36837. You think that an Indian after he passes should go to England for 18 months?—Yes.

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36838. On the other hand, an Englishman should have 6 months in England and one and a half years in India?—Yes.

36839. Where would be study in India?—Some arrangements ought to be made for it.

36840. You mean in a College?—To remain under some administrative officer. In that way, he can study the administration and learn the ways and customs of the people.

36841. Have you lived for a considerable time in Nagpur?—I belong to Bombay; but for the last 21 or 22 years I have been here.

36842. Always trading in the town here?—Yes.

36843. (Mr. Sly.) I want to ask you a question or two about the Provincial Service. I understand that you are satisfied with the present system of nomination; judging from your answer to question (51)?—The resolution of the Government of India requires some alteration. To clause 5 I would add some note.

36844. You have not mentioned any alteration?—I stated that so far as the principles of the resolution go, they are sound, but I have added "if any particular community cannot give an adequate number to represent them in the Provincial Service (the whole Provincial Service) recruitment may be made from other Provinces for the purpose."

36845. For the Provincial Civil Service you desire to see communities represented?—Not only my community but other communities and minorities.

36846. All communities?—Yes.

36847. Do you not think that in the Provincial Civil Service the question of efficiency is important?—That has to be taken into consideration. I do not mean to say that unqualified men from other Provinces should be recruited, but only qualified men.

36848. If you consider this necessary in the Provincial Civil Services, why do you not recommend it for the Indian Civil Service?—We require fair play and fair treatment in order to encourage Indians. I think that it would be better if they pass that examination for the Indian Civil Service. That would be better for them and they will be put on the same footing as others.

36849. Better than the Provincial Service?—Yes. My idea is to connect and link the rulers and the ruled. If they are competent men they will be able to do very good service to the country to which they belong.

36850. Does this Civil Service problem create great interest in the mercantile community in Nagpur—among merchants?—I have not come here to represent the mercantile community, but as a citizen and as one of the loyal subjects of His Majesty the King.

36851. Among the citizens does it excite a great deal of interest?—Yes. As the head of the administration is a member of the Indian Civil Service they do take an interest in it.

36852. You are yourself a merchant?—Yes.

36853. What I wanted to know was whether merchants in Nagpur are much interested in the question of the Civil Service?—Not as a merchant.

36854. Do you think that among your friends there is a general desire for the simultaneous examinations?—Yes.

36855. You are not speaking for yourself, but you are speaking on behalf of a good many friends of yours?—Yes.

36856. Is that desire strong in the Muhammadan community in Nagpur?—Not merely in Nagpur, but in the Central Provinces also. Most of those in the United Provinces who are educated are in favour of the simultaneous examinations.

36857. Most of the educated members of the Muhammadan community are in favour of the simultaneous examinations?—Yes.

36858. Do they expect to obtain many successes in the simultaneous examination?—They hope to.

36859. In your answer to question (2), in sub clause (ii), you say you consider one of the drawbacks to the present system to be the unequal risk on the Indians desiring to enter into the Civil Service as they have to leave their country at a tender age and visit a foreign one on the bare chance of passing the examination in which more often than not they prove "successful"?—It must be "unsuccessful" and not "successful." That is another mistake.

36860. Anyway you refer to the risk which they run in leaving their country at a tender age. What is the precise character of the risk you refer to?—The climate of India and the climate of England are quite different.

36861. You mean the physical risk?—Yes.

36862. Any moral and intellectual risk of any kind?—That has also to be considered.

36863. When you say that they prove unsuccessful, do you mean that they fail to pass or break down in other respects?—They break down in other respects.

36864. With reference to the majority of Indians who proceed to England, it is said that they prove decided failures for one reason or another—they break down. Do you agree with that opinion?—Yes.

36865. In answer to question (3) you say that the declarations and the hopes held out by Sovereigns and Ministers have not been carried out. Do you mean to say that there has been an actual breach of promise or there have been difficulties in the arrangement for letting in Indians?—Facilities were not given to Indians, and if facilities had been given them, they would have had their chances.

36866. The promise was that a man's race should not form a bar to his eligibility for any appointment, other things being equal and he being competent; but it did not mean that any man of any race should be entitled to any appointment for which he and his friends think him suitable. There is great difference between these two?—On account of certain restrictions one community gets preference over the other.

36867. You think that the defect is in the arrangements?—Yes.

36868. In answer to question (16) you say that you would like to put in Oriental languages and Indian history among the subjects for the competitive examination. Do you think that, in the present state of things, in any of the Colleges in

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England, you can acquire anything more than a sort of scholastic acquaintance with the classics? Do you think that a man can really learn the colloquial language of India without coming here and living here?—As Indians have to learn Latin and Greek in England, Europeans ought to learn the Indian languages.

36869. Do you suggest that sort of scholastic knowledge of Asiatic classics, in order to increase the number of marks obtained in the examination?—If my proposal is carried out, about the simultaneous examinations.

36870. Are you speaking of simultaneous examinations or the competitive examinations at Home?—In that case, during the time of probationary period, they will acquire a knowledge of these languages.

36871. Here or there?—Here and there.

36872. In answer to question (32) you say, "Part of the time of probation may be spent by Indians in England and Englishmen in India." Do you think that theoretical studies of the language of the country are equal to the experience gained by practical work in it?—That is the reason of my suggestion. My suggestion is that they should acquire a knowledge of these languages during the time of their probation.

36873. You say by Indians in England and by Englishmen in India?—Yes.

36874. You want a training College in India for probationers?—If that is possible.

36875. Do you think that a succession of competent teachers can be maintained for such a college in this country?—In the beginning, it will, of course, be expensive; but if the number increases, it will not be so much expensive, unnecessarily expensive.

36876. (*Sir Theodore Morison.*) Supposing the simultaneous examinations were conceded, would you describe to me where you would have educated a young man whom you want to send up for the competition? Suppose a friend of yours asks you to give him that advice, what will you say? Will you describe to me the sort of education that you would give him?—That depends upon the University and the subjects to be prepared.

36877. Suppose a Mussalman friend of yours came to you at Nagpur and said, "I have got a boy of fourteen, who is very clever and whom I want to send up for the Indian Civil Service Examination; and by the time he has grown up there will be simultaneous examinations." Will you describe to me how you will have that boy educated?—That is, the courses of studies in England will be studied here; there will be the same courses studied here.

36878. Please tell me what school you will send him to? Will you send him to the Zillah School here, etc. Suppose the decision is arrived at, that the simultaneous examinations will begin in the year 1927, and you have this promising young clever lad you wish to educate. Will you tell me how you would begin his education, what education you would give him?—There are certain recognised colleges which have produced the best sort of men.

36879. Tell me the names?—The Fergusson College at Poona, the College at Aligarh, and the College at Calcutta.

36880. This boy is only fourteen or twelve?—He will be put into the school attached to the college.

36881. Will you send him to the Fergusson College?—If that boy is of school-going age, I will attach him to the school.

36882. Will you send him to the Zillah School?—Not here.

36883. If he is a young Mussalman boy, where would you send him to?—To either the Poona College or the Aligarh College.

36884. Do they teach Arabic at the Fergusson College?—If they do not, I will have him sent to Aligarh.

36885. After he passes through the school, what will he do?—I will make him join the College.

36886. How far will he go up in the College; up to the B. A.?—As he is to go up for the Indian Civil Service, I will make him prepare for it, and undergo whatever the course may be for it.

36887. Do you think that the Aligarh College, of which you are a Trustee, will start a special class for the Service?—If all the colleges are not to provide for all the subjects required for the Indian Civil Service examination, I suppose there will be one College here in India.

36888. I do not suppose that there is any College anywhere that provides for all the subjects—some universities there may be?—There must be a separate College to prepare boys for the Indian Civil Service examination.

36889. Then you mean to say that a part of your recommendation for the simultaneous examinations will be that of starting another College?—Will have to be.

36890. You have stated in reply to question (2) "the competition as at present imposed puts unequal pressure on the Indians desiring to compete for it as they are required to master all the subjects of the examination in a foreign language." This young man, we are talking of, would go to Aligarh and he is certainly going to read up to B.A., and he will have to read almost all the subjects in English. Do you want to change it?—We shall have to arrange for a College which will prepare students for the Indian Civil Service examination.

36891. Suppose you get a central College to prepare candidates for the Indian Civil Service examination, do you think that the teaching will be in English or in the Indian languages?—The College will be of the same nature as in England.

36892. In which language?—English, Latin, etc.

36893. That difficulty will remain. Even if you have a central College, Indians will still have the difficulty of learning the subjects in the English language?—Yes, in the same way as those who prepare and go up for the examination in England will have to study the Indian languages.

36894. You will change the curriculum?—That is one of the conditions—that the subjects will be the same, the papers will be the same, the examiners will be the same, and everything will be the same and there is to be no difference.

(The witness withdrew.)

(Adjourned for a short time.)

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MR. G. P. DICK.

GEORGE PARIS DICK, Esq., Barrister-at-Law.

Written answers relating to the Indian Civil Service.

36895 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I accept the present system as satisfactory. Social and political conditions in India are now quite different to what they were at the time the preceding system of recruitment was in force. The unit of Government has shifted from the District to the Division. There has not yet been time to gain experience of how the men recruited under the present system would work as Commissioners of Divisions, but the class of men obtained by the open competitive examination in England seems to be drawn from the same field as their predecessors were, being, with rare exceptions, men from our Public Schools; the principal difference being that they are older in years than the recruits were under the preceding system, and further have not necessarily been attracted to the Service by a desire in the first instance to come to India. They offer an equally good scope for the selection of satisfactory men when the time comes for them to administer the government of the country. As junior members of the Service, and as District Officers, their age on joining and its mental results render them more suitable to present conditions, and to dealing with their Indian fellow-subjects, in the course of official life, than if the age of recruitment were the younger one. They are further much assisted by the remarkable development of the two Departments of Agriculture and Education. The present age of admission furthermore permits of those Indians who enter the Service having passed a sufficiently long time in England for them to understand and enter into, as well as to accept, the modes of thought, outlook and traditions of their English colleagues, such being essential to the good government of India: The superior posts of the Indian Civil Service constitute a large part of the Government of India and as such must remain in British hands. The system of selection by merit, and not by seniority, which prevails in the filling up of these high offices, permits the selection of any "Native of India" in the Service, of conspicuous ability, but even in such an individual case no precedent should be established. The people of India desire the Government to be entirely in British hands as much as the people of England desire England to be governed as a limited Monarchy, with a Parliament composed of Members whose political opinions represent those of the majority of the people of England at the time of their election. At the same time, with the age of admission standing as it does at present, Indians have a better chance of securing an entrance into the Service under the present examination rules than under the younger age. They have had time first to master the English language and then to acquire a knowledge of the examination subjects

such as enables them to compete on equal terms with the English candidates. As to the efficiency of the civilian who is a Native of India he has to contend with the knowledge that the people will not unquestioningly accept and obey his commands. His orders will be scrutinized, motives imputed to him, his being right or wrong considered, and his orders then followed, or even then perhaps only partially carried out. This induces a diffidence in men, as gifted as their English colleagues, and renders them less efficient in moments of emergency both to issue orders and to ensure compliance.

36896 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—So far as these Provinces are concerned there has been such over-recruitment as seriously to affect the efficiency and prestige of the Service. It has resulted in a block in promotion which keeps junior civilians of many years' standing in the grade of Assistant Commissioner, and doing work which has ceased to be in the nature of mere training, and can equally well be done by members of a less highly paid Service. Recruitment should be simply to secure such a number of men as will keep filled the posts of District Officer, and a number of others in training to fill up the vacancies in the Districts, when District Officers are selected for promotion. The pay, in consequence, is quite inadequate to suitably maintain officers (and their families), junior in rank, but of many years' standing, in a position befitting the dignity of the Service, and permitting the officer and his family to exercise that indirect influence by example and friendship, which is among the most valuable services rendered by the Indian Civil Service to the Indian Empire. The pay throughout the Commission in these Provinces is far below what men selected as the Indian civilians have been, have a right to expect at the termination of each decade of their life, when they look round and see the average incomes earned by their contemporaries in business or other professions, and this in spite of the consolation of the so-called pension. The result is that the importance of the civilian as a social influence for good is likely to be lost, and the young civilian loses his importance, being merged in a crowd of Civil Servants, doing the same kind of work, but of quite different rank and standing, and drawn from a different field altogether.

36897 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system does not secure the best class of Indian candidates; under it any "Native of India" who can secure the necessary means to enable him to proceed to England, can appear for the examination, and though such may pass, they are not necessarily picked Indian students. A system of State Scholarships, given in India, on the recommendation of the University authorities here, to students of the Indian Universities, would enable a number of picked students to go up for

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the examination, and would secure Indian candidates from the same field of general education and training, both intellectual and physical, as that from which the English candidates are drawn.

36898 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—No. The examination should be separate. Under the present system the prestige of the Indian Civil Service suffers. Men who had no intention of proceeding to India find on passing an inducement to do so, and men are kept out who might have got in, and been more suitable, but for the combined competition.

36899 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I am in favour of an open competitive examination held as at present.

36900 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—Until the system of Public School education in India is assimilated much more nearly than it is at present to Public School education in England, any system of simultaneous examination is out of the question. This is due to the fact that the spirit of caste is the breath of Indian National life. The field from which candidates in India are to be derived must be a class of Indian subjects, and not a caste or castes, or any particular sect. The candidate must be an Indian, and not merely a Hindu Native of India, or a Muhammadan Native of India. The Indian as such has yet to be born. Any system which led to the administration of India to any real extent by members of a particular caste, or sect, would lead to a popular demonstration by the other "Natives of India" against such a system. At the present moment certain literate castes would obtain by far the larger number of passes at any such examination held in India, and in the not very distant future it is equally possible that a particular sect might obtain a similar predominance.

36901 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each Province or group of Provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of any such proposal, which would only lower the general efficiency of the Service. I believe further that it would lower the standard of ability in the competing Natives of India as candidates. At present the Service is obtainable by picked men and by picked men only, but it is also open to all subjects of the Indian Empire. The time has not come, and I hope will never come, when the question of distribution of posts in the Indian Civil Service has to be considered from a racial point of view, as apart from one of efficiency.

36902 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of any system of nomination. I consider it desirable that all classes and communities should have the Indian Civil Service open to them, and open competitive examination is the only means of effectually doing this.

36903 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—It is very desirable that ultimately only members of the legal profession shall be eligible for Judicial appointments. Such appointments to be made preferably from the local Bar. To secure the proper administration of justice, the maintenance of the highest standard of professional honour in the legal profession is as essential as the possession of the best qualifications by the Judges. The knowledge that these posts are prizes of the profession, will have a most valuable reflex influence in encouraging that standard of professional honour which exists in England, where this system of recruitment to the Bench is in force. The rule should apply not only to High Courts but to Divisional, District, and Sessions Judgeships. Its introduction may lessen the attractiveness of the Civil Service, though the Judicial Branch apparently does not exercise any great inducement as such, at the present time. But the cadre of the Indian Civil Service being reduced, the number of recruits required will be less, and a high class of men, English and Indian, will be led to adopt a lawyer's career in India. The practising lawyer, when raised to the Bench, will have a special knowledge, not open to the Civilian appointed from without the Bar, in addition to which the lawyer has an amassed knowledge of law gained at the Bar, which the Civilian Judge lacks, and to obtain which the Civilian Judge has to serve an apprenticeship after his appointment to the Bench at the expense, if not of the litigants, at least of the public time. The knowledge of Executive work which the Civilian Judge brings with him to the Bench is no compensation for his lack of law and legal training. Revenue and Tenancy Law are familiar to the legal practitioners; and while the Revenue Officer has only applied this law in particular posts (subject of course to correction on appeal), the legal practitioner has gained a knowledge of how to deal with it from the point of view of the Revenue authorities as well as from the point of view of landholder and tenant. A further anomaly under the present system is, that a young civilian without legal experience is taken from the Executive and appointed to the Judicial Branch in a post, wherein he hears appeals from Subordinate Judges of many years' standing and experience. I do not consider that a training for six

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months as a Subordinate Judge before his appointment as a Court of Appeal in any way alters the position. General appointments to the Bench from the Bar to the exclusion of the Indian civilian cannot of course be made until not only Indian but also British, practising Barristers, of at least ten years' standing as Advocates of an Indian High Court, are available to select the Judges from, so as to secure that firmness of fibre in criminal decisions which religious and domestic training tend to mitigate in the Hindu literate class. All High Courts must contain a strong British element to secure not only the last mentioned point, but also the approbation of the litigant as well as of the people, who demand that the Supreme Appellate and Original authorities, Civil and Criminal, shall be British to all intents and purposes. At the present moment the first step can be taken in the direction indicated by ensuring that only those members of the Civil Service who are Barristers or Advocates of Scotland hold Judicial appointments, or will in the future be appointed to the Judicial Branch of the Indian Civil Service. It is commonly, though possibly erroneously, believed that the less efficient members of the Indian Civil Service find themselves relegated to the Judicial Branch. The appointment of even one Judge, holding no general qualifications, and without any special knowledge of the law, customs, and language of the people whose disputes he is called upon to adjudicate, and to whom he administers justice, would constitute a serious charge against the present system of appointments to the Judicial Branch of the Civil Service. With regard to the Subordinate Civil Courts, the appointees should start as Munsifs, and be able to rise in the ordinary course to the post of Additional District Judge. The pay of a Munsif on appointment should be Rs. 200 a month. Such appointments should be made from Legal Practitioners within the Province of at least three years' standing, and thus not only secure valuable knowledge of Court business but also avoid the possibility of sons of influential persons being appointed as soon as they have obtained a legal degree, who are then after a few years able to discard the Bench, to proceed to practise at the Bar, with the prestige and experience gained on the Bench at public expense. The Magisterial Courts are attached to the Executive side of the Administration, and cannot be separated from it without gravely impairing the security and good government of the country, so that I am absolutely opposed to any separation, as it is called, of the Judicial and Executive. The Indian Civil Service can be divided into two parts (a) the Deputy Commissioner and his subordinates, (b) the Commissioner and those superior to him in the Service. The unit of Government has indeed shifted from the District to the Division, but the direct administration of justice, the maintenance of public order, and security of person and property, everything that is involved in the two words the "King's peace," is embodied in the Deputy Commissioner and group (a). The Deputy Commissioner must therefore be the District Magistrate. The Magistracy, whether Stipendiary or Honorary, must be subordinate to him, and he is a guarantee to the people of the good faith, reliability and integrity of such Magis-

tracy as the Appellate Court to whom the justice of their decisions can be referred, responsible for their impartiality and incorruptibility. The District Magistrate to whom they are subordinate, must be a member of the Indian Civil Service, and the mass of the people would prefer him to be a European, as being uninfluenced by any sectarian or interested feeling. The Sessions Judge and the High Courts are too remote to act as the Court of immediate appeal, instead of the District Officer, who is visible to the people and constantly among them, though not of them, in his capacity as Collector of the Land Revenue and Revenue Court. He must at the same time remain the responsible head of the police in the District, for it is exactly this combination of head of the prosecution, as superior officer of the prosecutor and the superior officer at the same time of the trying Magistrate, that ensures public justice, prevents Magisterial advocacy, and partizan Police prosecution. All the Magistrates subordinate to the District Magistrate and Deputy Commissioner combine like himself Magisterial and Revenue functions, and it is important to their prestige as Revenue officers that they should also be Magistrates. Any scheme of a separate Cadre for Magistrates headed by a District Magistrate, for the administration of Criminal justice, on lines similar to the administration of Civil justice, would no doubt commend itself to those who are anxious to duplicate Government posts, and create as many Government offices as possible; but, apart from the unnecessary and large expenditure of Government money involved in it, such a scheme will be less efficient than the present one, and would lead to every district being ultimately divided against itself. Further, to put it from the most sordid point of view, the difficulty of collecting land revenue would be enhanced. The true position is, that although the Commissioner governs, the District Magistrate represents the Crown to the people; and it is impossible to disassociate from his paternal power of help and assistance in time of famine, plague and other public distress, his likewise paternal power of punishment and suppression of crime.

36904 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (83 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, and of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would suggest the substitution of the words Indian and Anglo-Indian: Indian to mean all those referred to in the definition who have no English blood in their veins or are of English descent on their mother's side only; Anglo-Indian to mean all those referred to in the definition who are of English descent on their father's side. I should like to point out that India is not interchangeable with Hindustan, nor is the vernacular word Hindustan a translation of the English word India.

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36905 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—The age should be such that candidates can appear immediately on the completion of a three years' course at the University.

36906 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—24 or 25.

36907 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India, and for other natural-born subjects of His Majesty?—I would make no difference between Natives of India and the other natural-born subjects of His Majesty.

36908 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would add riding to the compulsory subjects at the open competitive examination and mark it on a scale bearing in mind the expense of its acquisition and the utility it will be to the newly-joined Indian Civilian both on duty and socially.

36909 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I would make no distinction between any candidates at the open competitive examination.

36910 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and, if so, what posts and for what reasons?—I consider that all Heads of Departments should be members of the Indian Civil Service including the Public Works, Education and Police. The Judicial Branch I have already referred to and shown how the British element in that will be maintained. The wish of the people is my reason for this as contradistinguished to the possible wish of any party, caste or sect. I note the possibility that the member of the Indian Civil Service selected can be a Native of India as confirming my view that such Heads of Departments must be Indian Civil Servants.

36911 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that Natives of India might under present conditions properly be admitted?—The higher posts of the Civil Administration must be manned by European subjects of His Majesty. The principle of selection for posts of the rank of a Commissioner and upwards, adequately provides for the selection of any suitable Native of India. Any other course would, in my opinion, make for inefficiency, and be so contrary to the wishes of the vast majority of Indian citizens, as to probably evoke popular outcry, once its effects were understood by the masses.

36912 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service Cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—All posts on the Indian Civil Service Cadre as it stands at present should be recruited by open competitive examination held in England. But I see no objection to a separate Cadre containing certain posts on the same plane and of the same grading as those entered in the Civil Service Cadre, including District Officers and certain Departments, such as Excise; and, so long as the Judicial Branch is recruited in any way from the Indian Civil Service, certain Judicial appointments to be recruited by special appointment in India.

36913 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—Yes. I think the Statutory Civilian a valuable asset of Government, to be nominated on the recommendation of Local Administrations, and to be selected from wealthy and noble families of old standing and consideration, so as to give the aristocracy a vested interest in the system of Administration, the Cadre of Statutory Civilians to be a separate one and not to interfere with promotion in the Indian Civil Service Cadre. Two Statutory Civilians were appointed in these Provinces. One, a Muhammadan gentleman, resigned; the other, a Hindu gentleman, has been all that could be desired, but, even in his case, as Deputy Commissioner, the fact that the Head of the District was not British and would have been preferred as such was in one instance apparent.

36914 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service Cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of military civilians was excellent for the period to which it belonged. At the present time such fatherly discipline does not appear to be necessary for any District in these Provinces. I was acquainted with these Provinces at the time Nagpur and other Districts had a military civilian at their head. Their qualities were excellent, appealed to the people, and the military civilian has left a deep impression for good behind him.

36915 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Service can properly be appointed?—I prefer to keep the Civil Service Cadre confined to Indian Civilians who have passed the open competitive examination in England, even by reducing the number of posts reserved for members of the Indian Civil Service.

36916 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—All

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such posts should be merged in the Provincial Civil Service.

36917 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—No. A Junior Assistant on joining in India should be placed for three years under a selected Deputy Commissioner, who should not have more than two such Junior Assistant Commissioners under him during the three years, unless he has selected the Judicial Branch.

36918 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No. I do not.

36919 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—There should only be a course of probation in England so long as appointments to the Judicial Branch are made from the Civil Service. The candidate should at once select this Branch, and then should remain at home for a period of one year, he undertaking to join an Inn of Court, bearing half the expense, and in addition to so doing and attending the course of lectures there, to read with some practising Barrister in Chambers for the year, towards which he should receive a further grant of £75. I think it desirable that the recruit selecting the Judicial Branch should bear some of the expense himself, as not only in my opinion is it necessary to secure a legal training for the Civilian Judge but such a recruit is provided with a profession, which he can turn to his advantage on retiring from Government service. On arriving in India such a junior Assistant should at once proceed to take up the duties of a Munsif under a selected District Judge. His scale of pay, in proportion to that of an ordinary Munsif, will soon remunerate him for the extra expenditure and outlay in England; and before he has been appointed as a Sessions Judge, he must have passed and been enrolled as a Barrister. Before being appointed a District Judge such a Judicial Civilian must have obtained an Indian degree of LL.B. After holding the post of a Munsif for two years, such a junior Assistant should be trained in magisterial work.

36920 (33). Do you think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I do not. I have heard that such a College for Police Assistants was started at Saugor and did not answer.

36921 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

36922 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the

Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think that there possibly has been a deterioration in intimate and profound acquaintance with the Indian languages, due to the later age of joining, which has tended to prevent the languages being taken up as a study and a hobby, or as a means of gain by taking prizes. A colloquial knowledge of Hindustani might be added to riding as an additional compulsory subject at the open compulsory competitive examination.

36923 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—They might well attend the two years' course preparatory to taking the degree of LL.B. at any Indian University, and such a degree of LL.B. should be required from them before they are appointed as District Judges. This degree is exacted from all candidates for the appointments of Munsifs, and the junior Indian civilian who takes it would be exempted from passing the Departmental examinations. *Vide answer (32).*

36924 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details?—Yes. *Vide answer (32).*

36925 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—The Service seems to be overmanned.

36926 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Abolished upon the improvement in pay of the present Civilian and not permitted in future.

36927 (46). If abolition is recommended, with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—No distinction should be made between any "Indian Civil Servants."

36928 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—This present anomaly is one of my reasons for wishing to see the abolition of listed posts and their inclusion in a separate cadre for Statutory Civilians and also for the Provincial Civil Service.

36929 (48). Have you any proposals to make in regard to the leave rules applicable to members of the Indian Civil Service?—I think it undesirable that any member of the Indian Civil Service should be able to take two years' continuous leave except on Medical Certificate.

36930 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory

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Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—I consider that separate sets of rules are desirable.

Written answers relating to the Provincial Civil Service.

36931 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—No direct appointment as a Subordinate Judge should ever be made. The appointment should be from the posts of Munsifs. Such Munsifs to be only appointed from qualified Legal Practitioners within the Provinces of at least three years' standing.

36932 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable or have you any recommendations to make for their alteration?—The graduate qualification should apply to Anglo-Indians as well as Indians in nominations to Executive Provincial Civil Service.

36933 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

36934 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what

arrangements do you recommend to secure this object?—All classes and communities appear to be duly represented in the Executive Provincial Service here. But a predominance of one caste in the Judicial Provincial Service has occurred. This is no doubt due to the large number of Brahmans who have taken their LL.B. degree and does not appear objectionable, and the proportion of other castes will be no doubt to some degree restored as we find that larger numbers of Muhammadans, and some members of various other castes, are now attending the two years' course preparatory to appearing for the degree of LL.B.

36935 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—I think the number of the executive officers might well be increased and the districts further sub-divided. Such a course might coincide with the reduction in the recruitment of the Indian Civil Service.

36936 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Civil Judicial Branch is quite separate from the Executive and Magisterial and should remain so. But a very grave defect occurs at present in the fact that District Judges of the Provincial Judicial Service are appointed to act as Additional Sessions Judges. This is an absolutely unsatisfactory system and has in my opinion worked very badly. Appointments from the Bar would not be open to this objection, as the Bar in this country do not, except in very rare instances, specialise, Barristers being familiar with civil and criminal law and work.

Mr. G. P. Dick called and examined.

36937. (Chairman.)—You are a Barrister-at-Law?—I am.

36938. Have you had many years' experience in this Province?—I have been in Nagpur practising since February 1891. I came to Nagpur in November 1890.

36939. Have you resided here ever since?—I have been here ever since, except for trips home.

36940. You lay stress on the loss of efficiency and prestige which has followed on the present block in promotion. Can you tell us how this shows itself?—I think it is shown in the fact that the younger and junior officers are taken up with work which is done at the same time by other officials not of the same standing, that by a long continuance of such subordinate posts they lose, by the time they come to take charge of districts, that sense of command and power which I think is necessary for all Indian civilians.

36941. You do not regard the damage as irremediable?—Not in the least.

36942. You think that if improvements are made in the Service its prospects will regain its former prestige?—I think so.

36943. You do not object to having Indian members of the Indian Civil Service, but you desire that they should be picked men and should enter the Service solely by open competition?—

That is so. I also particularly desire that there should not be any chance of any appointment being made except through the open door in England to posts in the Commission.

36944. May I take it that you are in favour of seeing more Indians admitted to the Service?—That is my wish.

36945. You recommend by way of giving effect to that desire a system of State scholarships to enable students to go to England and pass the examination?—I do.

36946. How many of such scholarships would you suggest?—I have suggested two for each University.

36947. Ten in all?—It comes to eight or ten.

36948. At what age would you select your scholarship-holders?—After they had taken their B. A.

36949. They would then be about what age?—About 21 or 20.

36950. What age would you suggest as the best time for passing the examination in England?—I think the present system is the best.

36951. 22 to 24?—Yes.

36952. How would you select these scholarship-holders?—It should be done by the University authorities on their own appreciation of the persons they choose to send. I would leave it

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entirely to them. I would not suggest that they should be guided in any way by where the man stood in their respective years, but should be guided by their own knowledge, derived no doubt from the colleges through which the graduates had passed, as to the particular individuals selected.

36953. Would the University be the sole authority for selection?—Yes, the sole authority.

36954. Or would it be a recommending authority?—No, it would be the sole authority for selection.

36955. You think you could safely leave the selection to the University authority?—I think so.

36956. You would not like to see a Board established?—Not apart from the University authorities to which it should recommend. I would rather leave it to them, and it was understood in the country that it would be left to them.

36957. I gather from your answer to question (20) that you would abolish the listed posts but that you propose recruitment in India for a separate cadre?—Yes. I desire to reconsider the answer to that question in the last paragraph. I have since thought over the matter and I think my position is this. For the existing posts of the Indian Civil Service cadre recruitment should be restricted to successful competitors, including Indians, at the open competition in England. In addition I desire to see a separate Service recruited in India partly by direct recruitment and partly by promotion from the Provincial Civil Service on the line of the present listed posts. I consider that the existing number of posts is inadequate for efficient administration, and such increase of posts as may be found necessary should be preferably filled by direct recruitment in India. I desire to substitute that for the passage in my answer to the question.

36958. How would you carry out your scheme for recruitment in India?—I should have it by nomination by the Executive authority, followed by examination.

36959. A competitive examination?—Yes.

36960. Even when these candidates had passed their examination and had entered the Service they would belong to an entirely separate cadre from the Indian Civil Service?—Quite separate.

36961. But the posts in that cadre would be identical with the posts in the Indian Civil Service?—Some of them might be. I desire there should be an increase of posts.

36962. What particular advantage do you see in your scheme?—I wish very much to see something in the place of what was the system of Statutory Civilians. That is to say, I desire that the younger sons of men of standing and good position should be induced to take part in the administration of the country.

36963. Would you include in this cadre the officers whom you would select from the Bar for the Judicial appointments?—No; that should be a separate selection altogether. I desire to have the Judicial Branch quite distinct from anything else.

36964. So that you are practically suggesting three different Services?—That is so.

36965. Do you think that the creation of three Services on the lines you suggest would lead to harmony?—I think so. The only instances I can quote are the instances derived from the Statutory Civilians. I have never heard that there was any want of harmony or likely to be any want of harmony between them and the other Executive officers, if derived from the source that I desire to take them from, that is to say, a number of families of nobility and position and wealth.

36966. But do you not think that the very fact that these officers were in the same districts, carrying out the same work, but recruited to separate services in water-tight compartments, would be a source of a certain amount of friction?—I do not think so. In the only instance I am able to refer to I do not think it was so. I think that one gentleman accepts another gentleman; it is a question of breeding.

36967. Looking at it from another point of view, the number of superior charges in the Central Provinces and Berar is 57. If this number were spread over three services, as you suggest, would it not lead to serious difficulties in regard both to recruitment and promotion?—I do not think it will lead to any difficulties in regard to recruitment, but it might lead to difficulties on the question of promotion. But I desire to see a sub-division of the districts. I think the areas are greater than they should be. It will be more costly, but I do not think there is any difficulty in the way of promotion. It is a question of the sub-division of the present areas of charge.

36968. You would have a re-arrangement of the districts, reducing the areas, and thus making a larger number of districts?—Yes. The present tendency, as far as I am able to apprehend it, is in favour of sub-divisions under Sub-divisional Officers. If those sub-divisions were grouped together and made into districts, I see no disadvantage.

36969. That would necessitate an increase of cadre over and above 57?—Yes.

36970. Have you estimated what that increase would be?—I think it might very well go up to 61.

36971. Of course it would entail a considerable increase in cost?—That I am aware of.

36972. Do you think that the increased efficiency under your scheme would make up for the large increase in cost?—I think so, not only in efficiency itself, which I think would be greater with smaller areas, but also politically.

36973. Why do you think politically?—I think that the introduction of this class of Civil Servant would have a very good political effect. He has not merely to be recruited by competition but he has also to be recruited by nomination and from persons in the Provinces.

36974. You do not anticipate that there will be any falling-off of homogeneity?—I do not think so. You will quite apprehend that I put the Judicial Service absolutely apart. There will be no question of homogeneity between them and the Executive Service. But with regard to the other two Services, I think they will work perfectly harmoniously together. I have seen at least one example of it happen.

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36975. Do you think that the Indian Branch of the Service would regard their status as being equal to that of the European Branch?—These gentlemen would absolutely do so.

36976. You would start your separate Judicial Department with District Judgeships and include Divisional and Sessions Judgeships, but you would not include in its scope the Magistracy?—That is so.

36977. You are satisfied that Magisterial duties are being satisfactorily discharged under the present system?—I think that the system is almost ideal.

36978. You would recruit to the Judicial Branch only Imperial Civil Service officers who had taken legal degrees?—Yes, as at present the recruitment is managed.

36979. You do not think that a junior officer need do the work of a Subordinate Judge before holding a superior position in the Judicial line?—I do not think it is of very much use to him if he is there for only six months. It is no doubt a training school if he is there for longer periods.

36980. You set more store by the legal training he would have received prior to his entry into the Service?—Yes. My legal training includes reading in Chambers.

36981. Are you satisfied with the type of Munsifs who are now being recruited?—I am also a Lecturer in Law at the Morris College, and there we have to lecture in the subjects which are requisite for the LL. B. examination at Allahabad; so that a large number, I may say perhaps almost all, pass through our hands; and I think that it is the best class, that is to say, the most able class, that do not elect for Munsifs' posts.

36982. It is not a sufficiently attractive Service to induce them to enter it?—That is undoubtedly so.

36983. Do you think that if the prospects of the Munsif were improved this might attract the class you mention?—I think it would undoubtedly attract them. The position attracts, but not the pay.

36984. Do you think that the Munsif should be included in the Provincial Civil Service?—I am of opinion that the Subordinate Judicial Service should start with one grade and the Munsif should disappear in that way. He could be called a Munsif but there should be just one Service.

36985. One Service right through?—Yes.

36986. Would you put that Service on a time-scale?—I should be quite willing to do so, but I have not considered the point.

36987. Are you in favour of the principle of a time-scale as a means of getting over the difficulties of flow in promotion?—I am for the Indian Civil Service, but I have not considered it in regard to the Judicial side.

36988. But you have blocks in promotion and very much the same difficulties on the Judicial side as you have on the Executive?—I am now speaking as it occurs to me, but I should think that from the Munsif up to the District Judge a time-scale might do very well, but not for the higher posts.

36989. In your answer to question (44) you say that in your opinion the Service appears to be over-manned?—I really meant over-recruited.

36990. You do not think it is over-manned?—I think the opposite; it was a misuse of the word.

36991. Do you take the view which other witnesses have taken, that there is an undue amount of work imposed upon the existing staff on the Judicial side?—I have not had the advantage of sitting as a Judge, and I think it depends very much upon the despatch of individuals and also very much on their knowledge of Law. A good lawyer can dispose of cases much more quickly than one who has to gather in each case what is the Law that applies.

36992. Are you in a position to say definitely whether in your opinion the number of Judicial officers is sufficient in this Province to do the work?—I think it is a question of despatch. Criticism is made by members of the Bar, and members of the Bar are of opinion that they could do it more quickly themselves, but I think it is entirely a matter of individual capacity, and that the average capacity is perhaps overworked.

36993. (*Lord Ronaldshay*.) I just want to be clear about your proposal for creating this new cadre. I understand that you would take some of the posts at present filled by Indian civilians and incorporate them into a new cadre altogether?—Perhaps my proposals would affect more the posts that are at present filled or allotted to Provincial Civilians, such as the Deputy Collectorships, posts which are at present held by Indians.

36994. The listed posts?—Yes.

36995. Would you add to those?—Yes.

36996. And incorporate them practically in the cadre of the Provincial Civil Service?—I desire it to be a separate Service, similar to that of the Statutory Civilian. That is what I am really aiming at.

36997. You have first of all your Indian Civil Service, then you have your service corresponding to the old Statutory Service, and then you would have the Provincial Service?—Yes, that is what I think it may amount to, but it should be called one Service, the Provincial Civil Service. There would be these posts which would be open to persons selected in this way. It really is only an extension of the present system of nomination.

36998. I understand that this new cadre you would like to see created is to be recruited by a system of combined nomination and competition?—That is so.

36999. Are any of the members of the Provincial Civil Service to be included in the new cadre?—Those at present in the Service.

37000. Not in future?—No; they would be all nominated on these lines.

37001. Have you considered what the effect of that might be upon the status of the Provincial Service? Would not that mean that in future you were going to take away from the Provincial Civil Service one of its greatest attractions?—That is so in a sense, but they are eligible for this. I have not dealt with the question of selection for promotion but only as to how the entry into the cadre is to be effected. After that I propose that a system of selection should operate at a

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certain period, as it does at present in the Indian Civil Service.

37002. Do you mean that members of the Provincial Civil Service might be nominated for an examination for the new cadre?—Yes.

37003. Did I understand you rightly when I thought you told the Chairman you believed the officers of the new cadre would be regarded as in every way equal to, and as efficient as, those in the cadre of the Indian Civil Service?—Yes. I was referring then to those nominated from the families I have thought of, but if you include the whole of the Civil Service I still maintain that position. I do not think myself that the selection is at present from persons quite suitable.

37004. But you think that little deficiency could be got over by nomination prior to examination?—Yes.

37005. I may not have quite understood you but that seems to me to be inconsistent with your answer to question (7). In question (7) you are asked whether you would be in favour of a fixed proportion of the vacancies in the Indian Civil Service cadre being filled by Natives of India recruited by a separate examination in India, and you say you are not in favour of any such proposal. It seems to me that you are going to recruit your new cadre by a separate examination in India, although when you are asked that question you say you are not in favour of any such proposal because it would lower the general efficiency of the Service?—Yes. I am not asking for the Indian Civil Service to be recruited. At the present moment there are certain listed posts and it is merely an extension of the listed post system. The Indian Civil Service will always remain; I have never suggested any alteration in that. There are already the listed posts, and there might be four additional posts created, and they would be all posts open by selection eventually to one of these persons drawn from this.

37006. Let me try and put my point quite plainly. You object to a portion of the Indian Civil Service posts being recruited by means of a separate examination in India because you say that to take that course would be to lower the general efficiency of the Service. That is your first contention?—Yes.

37007. Your second contention is that you may create a new cadre and recruit that by means of a separate examination in India, and then you go on to say that the officers of that cadre will be in no way inferior in efficiency or in position to the officers of the Indian Civil Service. It seems to me that those two contentions are mutually destructive?—I have never suggested for a moment that these were Indian Civil appointments. I alluded to the fact that the sub-division was at present extending. There are also districts which are filled by statutory Civilians and those districts are generally not the most onerous and important charges. I did not consider that they would consider themselves equal to them, either in administrative capacity or in status in the Service; but they will not look upon themselves as inferior in any way in social standing. I used the word "gentlemen." What I wish to drive at is the fact that although a man may be holding even a subordinate post, still he may not consider himself

inferior to the gentleman who is holding a superior post, although he may be willing to say, "Sir," to him and to obey his orders when given. I am not suggesting that from the administrative point of view they are of the same standing.

37008. Then you would be very careful which of the Indian Civil Service posts you selected for handing over to the new cadre?—Certainly.

37009. You would only take light districts?—I would be even prepared to call them subdivisions if necessary.

37010. (*Sir Theodore Morison.*) We have received evidence in a great many Provinces that the Statutory Civil Service pleases nobody?—I never saw the Statutory Act put into force myself, as I was not here at the time, but I have known two gentlemen who were in it. I have heard that people strenuously wished to get into it, but it disappeared. I am myself of opinion that if it were opened to the class of persons I have been referring to, it would be popular and would be sought for.

37011. It has been urged upon us on several occasions that it gives satisfaction to nobody and that nobody wishes to see it revived. I wanted to know whether the opinion of this Province was the same?—I have not taken the opinion of the general public or of the farming classes, but I have asked a number of people belonging to these families, and although the candidates would not be very numerous I understand that they would be very glad to see it. I am talking now of a class.

37012. You think that particular class from whom the Statutory Service was previously recruited would be very glad to see it revived?—That is my opinion.

37013. You know nothing about the opinion of the public on the point?—I have not ascertained it.

37014. You think that the combination in one officer of magisterial and other functions is of great importance, and you do not wish to see that disturbed?—No.

37015. You give various reasons, and you suggest that if a distinction were made, the collection of the Land Revenue would be made more difficult?—I have said that with some diffidence, but I adhere to it. I think it would lead to slackness and laxity in allowing the Land Revenue to get into arrears. There are provisions in the Code by which it could be summarily demanded, but I think it would lead to the tendency of thinking that it did not matter.

37016. What are the powers which enable the Magistrate to hurry up the collection of Land Revenue?—There are no powers; it is the knowledge that he is the Head of the District in every sense.

37017. The Head of the District and of the Police?—Yes.

37018. And he would remain the Head of the Magistracy and of the Courts in which Criminal cases are tried?—It is a question of belief.

37019. You do not think that the powers of a Criminal Magistrate make any difference in practice?—I think they do on the imagination only in respect of collecting the Land Revenue. I am confining myself to that.

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87020. As a matter of fact those powers are never exercised to expedite the Land Revenue?—Not to my knowledge.

87021. (*Mr. Madge.*) You told us in the earlier part of your answer to the first question that the unit of Government is shifted from the district to the division. That rather goes against several passages in the report of the Decentralisation Commission, which practically recommends the district as the unit and almost suggested that the sub-divisions ought to be the unit, that is to say, to carry it as far down as the responsible officer who comes into the closest contact with the people. Are you familiar with that suggestion?—I gave evidence to the Decentralisation Commission, but I was not examined orally. I gave the same opinion then as I have given now.

87022. Have you seen the report since?—I have not. I speak merely from observation, and observation confined to these Provinces.

87023. Further on in the same answer you speak of the efficiency of the civilian who is an Indian, and you say he has to contend with the knowledge that the people will not unquestioningly accept and obey his commands. As those Indian officials whom we have had to examine do not appear to be conscious of that disability at all, I should like to know how you have arrived at that opinion?—I have met a number of Indians who have held the posts, for instance, of Deputy Commissioner. They are not Indian Civil Servants, in the sense that they are not members of the Indian Civil Service, but I find that, from whatever source they have been derived, they invariably take advice and wish to take advice in order to fortify themselves against what public opinion they apprehend will be afterwards.

87024. In a portion of your answer to question (6) you say the Indian as such has yet to be born. Do you mean that he is either a Hindu or a Muhammadan or something else, but not an Indian in a national sense?—That is my belief.

87025. Then it is your belief—and it is mine also—that the nationality talked about amongst some of the inhabitants of India is rather a thing that is yet to be?—May I call it embryonic.

87026. Do you expect that one day it will come about?—I think it is in the making.

87027. Has the dawn of that day arrived yet?—I think so.

87028. Could you say how long before the daylight will break?—I am afraid I cannot say that.

87029. In answer to question (7) you say: "The time has not come, and I hope will never come, when the question of a distribution of posts in the Indian Civil Service has to be considered from a racial point of view as apart from one of efficiency;" but in the next question you considered it is desirable that all classes and communities should have the Indian Civil Service opened to them, and you think that open competitive examination is the only effectual means of doing this. You draw a distinction between races and classes?—Undoubtedly.

87030. By classes you mean social distinctions?—Social distinction and pecuniary position. I have used the word "communities" on account of religious differences.

87031. As distinct from racial?—Yes.

87032. In answer to question (11) you suggest that ultimately only members of the legal profession shall be eligible for Judicial appointments. I think we have to consider two questions. The first is whether we are likely to get for any post a class of Barristers who would be willing to give up their profession for the Service?—I am of opinion that a Barrister making more than double the pay is quite willing to take a Judicial appointment.

87033. The second question is whether a Barrister, an English Barrister particularly, taking up a judicial appointment, would have any knowledge of the people and conditions prevailing in this country, especially away from large headquarters?—I have said that he must have had ten years' professional standing in this country. I do not agree with the view that it is the Executive officer only who is in touch with the people. I am a Barrister myself and I know that we have to come into contact with our clients and with our brother Barristers as well as with the many friends we make by settling in a place. I think we are quite in sufficient touch with the people after ten years' experience to be able to judge in a case the value of the evidence, and the persons giving the evidence, and of the nature of the case that comes before us.

87034. But a Barrister may have resided at the headquarters of a district or a large tract of country without ever having visited remote villages and acquired that knowledge which a District Officer acquires by moving about the country?—That is so, but the clients come to us and tell us their stories and we have to see the witnesses, and in the course of that, by our imagination, we are able to construct village life as if we had visited the spot on a tour.

87035. Do you think that the knowledge so gained compensates for any loss on the other side?—I think so. In addition to that you have to remember that even from the Presidency towns the Barrister goes out into the district to conduct cases.

87036. Frequently?—I am myself enrolled in Calcutta and I understand even in Calcutta and Bombay they frequently go up country.

87037. I have heard of their going to the headquarters of districts but not of their moving out of headquarters?—In this part of the world we have sometimes to go even into camp.

87038. (*Mr. Fisher.*) There are a few points of detail I should like a little further explanation upon, and the first is with regard to your proposal for a scheme of scholarships. Would you allow the University authorities to institute competitive examinations for these scholarships?—If they wished to do so.

87039. You would leave them latitude?—I have no knowledge of the subject, but I understand that the Indian Educational Service is recruited on something of these lines at home.

87040. With regard to your proposal for Statutory Civilians, is it your opinion that the comparative failure of the experiment was due to the fact that there was no competitive examination?—I cannot say, because I was not here at

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the time when it ceased, but I have always wondered why it did cease.

37041. In any case you would lay considerable stress upon the competitive examination?—I should insist upon it.

37042. Following nomination?—Yes.

37043. I suppose that being so, your Statutory Civilians would be young men who had just taken their degrees? Yes, they would.

37044. And they would be in the same cadre as persons promoted from the Provincial Service?—That seems to me a possible difficulty, but I think it would work. Remembering that we live in India, remembering the caste system, and remembering the class from whom the Natives of India are now selected, I think it would work quite well.

37045. You do not think that your aristocrats recruited under the system of nomination and examination would feel themselves at all humiliated by being placed in the Provincial Civil Service?—They must bow down to the Brahman, I understand.

37046. I suppose that members who will be recruited into this Service from the Provincial Civil Service would be older?—I had not contemplated that; I am afraid I have not considered that. They would be a little older.

37047. The Statutory Civilians will be just past the graduate's age?—Yes.

37048. But the persons promoted from the Provincial Civil Service into this new cadre of yours would be older?—I should be quite willing to see that it should be one Service. I did not mean absolutely to make three Services. They would go in and take their chance, and go up with the others. I see nothing objectionable in their starting in that way.

37049. You propose that a knowledge of Hindustani and an ability to ride should be required of the competitors for the open competition in England?—It is pointed out that I am mistaken in saying Hindustani and I wish to withdraw that, but I still adhere to the riding.

37050. Do you not think it is sufficient to have the riding in the probationer course afterwards?—It might limit the competition very much if it were put there. I would not insist upon it.

37051. You do not attach so much importance to that?—No.

37052. I should very much like a little further explanation of a sentence in your answer to question (57). You say: "A very grave defect occurs at present in the fact that District Judges of the Provincial Judicial Service are appointed to act as Additional Sessions Judges"?—I am also Standing Counsel and in that position I have to appeal on behalf of the local Government against acquittals, and I have found that I have had to appeal against acquittals from these officers. You heard Mr. Stanyon, one of our Judicial Commissioners, refer to one case, and that is one of a number actually occurring. They have had no previous experience of criminal work and they treat a criminal case as if it were a civil case. They look upon the evidence as if it were evidence given in a civil case; they look upon documentary evidence as if it were being filed in a civil case; I

have expressed myself rather strongly, and I adhere to saying that this is a grave matter and quite unsatisfactory.

37053. (*Mf. Sly.*) I wish to ask you a few questions about your proposal for a separate Judicial Service. I believe you are the President of the Bar Association?—I am.

37054. Do these views represent the views of the Bar Association as well as your own?—The views with regard to the recruitment of the Bench from the Bar represent the Bar Association. The views representing the separation of the Judicial and the Executive are my own views.

37055. But the proposal that the whole of the Judicial Service should be recruited from the Bar represents the views of the Bar?—It represents the views of the Nagpur Bar Association.

37056. I believe you also hold the post of Standing Counsel to Government?—That is so.

37057. And you have had, I suppose, both as Barrister and as Standing Counsel, experience of the work of civilians as Divisional and Sessions Judges?—As a Barrister I have had experience of both, and as a Standing Counsel I have had a little experience of the Divisional Judge.

37058. And of the Sessions Judge?—A little experience of the Sessions Judge.

37059. Can you give us your opinion as to the method in which the civilian performs the duties of Divisional and Sessions Judge?—As a Sessions Judge he is admirable. As a Divisional Judge he is weak in Law.

37060. Would you also say that that opinion applied to the member of the Indian Civil Service who was also a Barrister-at-Law?—So far as my experience goes. Yes.

37061. Then the fact that a man is a Barrister-at-Law is not a qualification to fill a Judgeship?—It is, if he has been trained properly as a Barrister-at-Law. A Barrister-at-Law involves not only passing certain examinations but almost invariably reading in Chambers and obtaining experience in every way of work at the Bar.

37062. But surely that is not the case with the ordinary Barrister-at-Law who comes out to India?—I think so in many cases.

37063. Take your Indian colleagues, have any of those you know been in Chambers?—Perhaps you will allow me to say that the mere fact of a civilian having qualified for a Barrister-at-Law at home does not necessarily involve the fact that after he had come out to India he had also been employed in dealing with the Law. Therefore he had not acquired what the Barrister-at-Law acquires at any rate during his ten years' experience, an amassed knowledge of Law. The knowledge of the Law is ready at hand in books of reference and statutes, but the Barrister who has been working in the Law had already got that, so that the mere qualification of a Barrister-at-Law in the case of a civilian does not necessarily, to my mind, imply that he has the same capacity as a man who has been practising at the Bar.

37064. If you get an Indian civilian who is a Barrister and who has had practical work and training as a Magistrate and as a Subordinate Judge, do you consider that he is an unsuitable source from which to recruit District Judges?—Certainly not.

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37065. But if a civilian has had practical training as a Magistrate and as a Subordinate Judge, and in addition is a Barrister-at-Law, do you consider that he would make a suitable Judge?—To coin a word, as far as “knowledge ability” was concerned he would do quite well, but I think there are other interests to be considered.

37066. We have had the opinion expressed to us that a civilian Judge of the High Court makes a very valuable addition to a High Court Bench of Judges, owing to the fact that he possesses a knowledge of what has been termed “the machinery of Government,” a knowledge of the rural conditions in India, and is particularly qualified to deal with the administrative portion of High Court work. Do you agree or disagree with that opinion?—I do not think there are sufficient posts on the Bench to allow of his being annexed to the Bench in that capacity.

37067. Do you consider that in the Judicial Service of the country there should be a minimum number of Europeans?—I do.

37068. And I understand you propose to recruit that minimum number of Europeans by European Barristers who have practised for ten years in India?—That is my wish.

37069. How many European Barristers are there in Nagpur?—Three.

37070. How many European Barristers are there in Bombay?—I do not know, but I have heard there are only six.

37071. Do you think that this would be a sufficient field for recruitment of the European minimum of Judges that you desire to see?—Certainly not.

37072. How do you propose to work your scheme?—It may be a counsel of perfection, but I think if a young Englishman, who is possessed of a small, assured income, knows that he can come out and look forward to getting an official post in India, he will be attracted, in the same way as his fellow is to come out in the Indian Civil Service.

37073. Then your scheme, as far as the European element to the Judicial Department is concerned, rests on the probability that it may attract certain European Barristers from England to a much larger extent than come to India at present?—I am afraid so.

37074. If the magisterial powers were taken away altogether from the Executive and handed over to the Judicial Branch of the Service, would you still recommend this separate recruitment of the Judicial Service? If the Judicial Service you contemplate had to do not only Civil Judicial work but also all the Magisterial work of the country, would you still recommend the system for adoption?—No.

37075. Then you recommend that your proposed scheme should be introduced ultimately, and you give us an alternative proposal of what you think should be done if the Judicial Branch remains in the Indian Civil Service, and you start off with the postulate that the successful candidate in the open Civil Service examination should select at once either the Judicial or the Executive Branch. Do you think that a lad who has passed the open competition at that age is in a competent position to choose rightly his future

career in life, whether it should be Judicial or Executive?—Yes.

37076. You think that at an age when a man has passed the open competition the career for which his abilities suit him can be decided then and there?—Yes, with the rare exceptions that prove the rule.

37077. Do you not think that at that young stage of life the glamour of the Executive work of the Service, camping and sport in India, will induce most candidates to choose the Executive?—It appeals to the majority, but not all.

37078. After having selected he has to be trained at home as a Barrister-at-Law?—Yes.

37079. He has then to be brought out to India and to start work as a Munsif?—That was my proposition.

37080. Do you think that under such a course of training, simply as a Munsif in a Court, he could acquire the knowledge of the country and people that is essential to an officer who is to rise to the position of a judge in the country?—I have not said he is to continue always as a Munsif. It would be possible for him to conduct Criminal cases.

37081. But your scheme does not contemplate that he should spend any period of his career otherwise than in a purely Judicial capacity?—That is so.

37082. Do you consider that that would be a suitable method of training a junior civilian for the Bench?—Yes, I do, except the scheme of taking a member of the Bar.

37083. You have further recommended that having passed through a certain amount of training as a Munsif he should then pass the LL.B. examination. Why do you desire that he should pass the LL.B. examination if he has already passed the Barrister-at-Law degree at home?—Because I think the subjects which are set in the LL.B. examination, without being an undue strain upon him, are still such that they would be of the greatest advantage to him in acquiring a proper knowledge of Indian Law, and also of meeting the practitioners who appear before him.

37084. How long a course of study is required to secure the LL.B.?—The actual course is two years, but that does not involve a two years' deputation.

37085. How would the civilian prepare for this examination?—He has simply to pass the examination, which should not be to him a very difficult thing. I daresay there would be, what is perhaps objectionable, some cramming, and short leave might be involved.

37086. You have given an opinion with regard to the question of whether judges are overworked, and you have stated that it depends to a large extent on the despatch with which the Judge deals with his cases. We have received a good deal of evidence here to the effect that at least the Subordinate Judges are extremely overworked, so much so that it is alleged that none of them can ever hope to live to draw a pension of any kind or description. These subordinate Judges are all LL.B.'s who have passed through more or less the course of training you suggest. Do you consider they fail in the despatch of their cases in Court?—I think there is a tendency to be diffuse. One

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has to understand what proportion of time should be taken up by witnesses, what proportion should be taken up in writing a judgment and in dealing with a case generally. I did not say that selection merely on an LL.B. was sufficient under the present system.

37087. But so far as your course of training includes an LL.B. Degree it has tended to produce a set of Judges who are diffuse?—I pointed out that they were not our best men.

37088. (Mr. Macdonald.) With reference to your proposal about the separate Indian cadre, will any member of that cadre do work that would be done by a member of the English cadre?—He would if they were still termed districts.

37089. But in so far as you sub-divide, it would mean, would it not, that they had the same kind of work but over a smaller area?—It would, but it might be even subordinate to a Deputy Commissioner.

37090. In that respect would not the work that you give to your cadre be work that outs across the work given to the English cadre?—Nothing more than it does at present. There are at present districts which are administered, one, for instance, by a Statutory Civilian, and one was also held by a Provincial Civilian of high rank.

37091. But if you increased your cadre whatever objection there is in that system is increased, is it not?—Yes.

37092. It is very difficult for one to visualise what would be the organisation, but would it not be possible that you would have a considerable number of men in the lower grade of the cadre in training in the early years of the Service, and you would have a very narrow neck on account of the work you have to cut out for the Indian cadre?—Which would be very small. I have only suggested four altogether in addition to what is already available; six, I take it altogether.

37093. Would that have any sort of finality in view of the pressure?—I think it would be quite sufficient in these Provinces at present and for some time to come.

37094. You would contemplate that if it were a success you would increase its number?—Only if the class from which they were drawn increased. I do not see any possibility of any very rapid increase.

37095. Your safeguard against what I was going to put to you as to the narrowing of the middle of the English cadre, and then the extension at the top again, where you would get fearful blocks, is that this special cadre of yours containing the listed posts of the nominated civilians is bound always to keep perfectly small?—I think relatively small, and would be always governed by the principle of selection in the final posts.

37096. You say in answer to question (3) that the ablest of the Indians do not go to England for the purpose of competing for the Indian Civil Service, and you would propose this University test which I think you said in reply to Mr. Fisher might be not the test of nomination but the test of a separate examination?—That is so.

37097. When the men go to England and sit for a competitive examination you do not con-

plate they would all get in?—I think the large majority would get in, and perhaps all.

37098. What would you do with the failures?—I think it would be most advantageous for them to come back to India and embark on some profession here, not the Law. They would be more likely tempted into commerce or into general civil commercial life, where I should be glad to see them.

37099. Would you make it a condition that they did not go into the Law?—Certainly not.

37100. If the Law happened to be the most popular thing they would go into it?—Certainly. The time would be against it.

37101. You would not suggest what other witnesses have suggested to us, that the man who failed for the Indian Civil Service in England should be guaranteed posts in the Provincial Civil Service?—I would not do that as a guarantee.

37102. You also say that you do not think the competition for the Indian Civil Service and Home Civil Service should be combined, and you bring forward a somewhat important consideration there. Do I understand that when the Indian Civil Service suffers a slight eclipse in popularity then the men who come out at the top go into the Home Civil Service and the men further down take the Indian Service?—That was the impression left on my mind from what I had heard.

37103. The impression that this makes on my mind is that you also want to say that although these men may be the very best men who can be got the mere fact that newspapers can say that the top men remain at home gives the Service as a whole a bad reputation?—You have expressed it exactly.

37104. And that therefore the two examinations could be separate?—Yes.

37105. What value do you put upon a man's previous desire to come to India?—The greatest.

37106. Have you heard it said that at present many men come out who sit for the examination primarily to get a Home appointment?—I have heard it.

37107. And when the Home appointments are all filled up they have to come to India?—Yes.

37108. If that is true, what view do you take of it?—I think it detracts from their efficiency and also from their prestige. They are not as willing perhaps, quite unconsciously, they cannot be as willing.

37109. Assuming, that, as we are told by some witnesses, there is a certain percentage of men who come out here not quite the right sort of men for India, is it your view that before we try any new system of selection or nomination or new method of examination, that possibility of producing the unsatisfactory man should be stopped?—I am afraid I have not apprehended your question.

37110. We have had statements that there is a certain percentage, not a large percentage, of men who perhaps had better not come here at all, very good men in many ways, but who had better stay at home, and the proposal has been made to us that in order to stop these men coming here we should adopt the system of nomination. I ask you whether, in your opinion, some of those men come here because the two examinations are combined?—I think it is possible, but I cannot speak with any certainty.

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37111. In your answer to question (6) you lay great emphasis upon a public school training. You seize upon that as being the British characteristic rather than a University training. But you know there are some important districts in the British Isles where the public school system as it is known in England has never taken root?—I have not defined my public school.

37112. Would you mind defining it now?—I mean any school open to the public, any large school where a system of compulsory games is enforced on the boys who go there.

37113. That, of course, as you know, is not the definition of a public school commonly used in England?—No doubt it was my fault.

37114. You say "This is due to the fact that the spirit of caste is the breath of Indian national life." I think from the rest of your answers you do not mean to say that it is the breath of Indian educated national life?—May I give somewhat of the same answer there, that until the Indian is born it must be the breath of Indian educated national life. I take it you are referring to the Indian who is a citizen and inhabitant of the Indian Empire?

37115. Yes. Have you never come across that Indian?—I have not come across him; I have not seen an Indian who can be called a citizen of the Indian Empire. I have seen what was an approach to it in the younger generation, but I could not say it has arrived.

37116. Would you apply this statement with the same whole-heartedness to a man who has been through a University as you would to a man who has not been to an English University at all?—I am afraid so.

37117. Then of course it is no use my asking you whether you would apply it also to a man who has been through an Indian University?—That is so.

37118. (*Mr. Chaudal.*) I want to clear the ground about one question that was put to you by Mr. Sly. You were informed that Barrister Judges have given evidence that they find the assistance obtained from the Civilian Judge sitting by their side of extreme importance. A purely English Barrister, practising in the Presidency town only, and not going out into the mufassal, has generally no knowledge of the Land Revenue Code and the local Acts?—I should defer to you in that at once. I am not speaking from my personal knowledge.

37119. I want to know what your opinion is?—So far as I am personally aware of it, I should answer your question in the negative.

37120. That he does not know?—That he does not know. My experience is confined perhaps to a dozen people.

37121. I suppose you are aware that the Barrister who practises on the original side of the High Court would hardly ever have to refer to the Land Revenue Code?—I do not think it follows he is ignorant of it. But I am speaking very much in the dark.

37122. The Civilian Judge in the High Court who sits by the side of the Barrister Judge generally has had experience as a District and Sessions Judge for over fifteen years before he comes up to the High Court?—I have said that I have considered he would be most valuable.

37123. I quite conceive that he is valuable, but the value may be the value of his training and experience as a District Judge of fifteen years, and not necessarily his three or four years of camp life as an Assistant Collector. There are only one or two questions I will trouble you with about this matter of the separation, of which you have given such a doleful prophecy. You give your personal opinions, not the opinion of the Bar Association, about separation of the Judicial and the Executive? That is not an opinion which is based on any experiment having been tried, but only of what you apprehend would be the result?—May I know what is the passage where I describe the result.

37124. You say in answer to question (11) "The magisterial courts are attached to the executive side of the administration, and cannot be separated from it without gravely impairing the security and good government of the country, so that I am absolutely opposed to any separation, as it is called, of the Judicial and Executive." That is an expression of your own opinion not based on any experiment that has been tried?—No I have never seen an experiment tried.

37125. In the Presidency town the Magistrates are not subordinate to the Commissioner of Police and they are not subordinate to the Collector. They are entirely subordinate to the High Court. Has there been any complaint heard at any time that the Magistracy in Presidency towns are not properly controlled or supervised?—I know nothing of the Presidency towns, but I have always understood that rural and urban conditions are absolutely dissimilar and I have no knowledge that such a thing could happen.

37126. So far as the separation of the functions go you know that in the Presidency towns this separation has always obtained?—I know that of the Presidency Magistrates.

37127. And the Collector in the Presidency towns finds no difficulty in collecting the assessments or revenues, although he has not behind him the magisterial power which you refer to in the case of the District Magistrate?—I have no doubt that such is the case.

37128. So that so far as the fear you express about the difficulty in the collection of Land Revenue is concerned, it is only guess work?—The country side is not the town. Town conditions are absolutely dissimilar. As a visitor I am familiar with Bombay and I have been also to Calcutta, and I should say the conditions were absolutely dissimilar.

37129. The payment of revenue is a payment by a property holder whether he be in Bombay or in the districts, and you have admitted that as a matter of fact we rarely find that the District Magistrate has to exercise his criminal powers for the purpose of collecting the revenue. You only put it forward on the ground of prestige, which possibly affects the mind of the ratepayer or the man who has to pay the Land Revenue. Therefore, notwithstanding that the Collector in a Presidency town has not got this prestige behind him, he gets in his revenue all right?—The householder in the city is generally in possession of more cash than the farmer in the villages. Another thing is that there is a provision in the Land

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Revenue Act whereby what is equivalent to a criminal distraint can be effected. I think to dissociate that from the position of District Magistrate would be a very serious matter.

37130. Nobody suggests that the Collector's powers under the Land Revenue Code should be taken away under any scheme of separation. The Collector as a Collector and not as a District Magistrate has got such wide powers under the Land Revenue Code that it ought not to be at all difficult to collect any assessment whatever?—They are very loth to put that particular power into execution. I am merely speaking of matter of fact. The fact of the District Magistrate being associated with the Deputy Commissioner will work upon the imagination and have an effect upon the purse strings in the country and they will not be slack in paying revenue.

37131. I thought I heard you say in answer to Mr. Madge that you rarely came across an Indian Deputy Commissioner or other officer who accepts responsibility and does not consult his superiors before starting any action?—I did not say his superiors. I said he took advice.

37132. From whom?—From his colleagues, such as the Head of the Police, the Head of the Forest, the Doctor, and so on.

37133. What sort of things does he take the advice of the Police and Forest Officer and Medical man for?—In the administration of his district.

37134. Do you think he deliberately eschews taking any such advice in magisterial cases? The Revenue Officer who is at present clothed with magisterial powers has various functions, and you say that an Indian officer is apt to take advice from his colleagues, or as you expressed it, you rarely came across anybody who did not take such advice from his colleagues, whether inferior or superior I do not say. Now if a Revenue Executive Officer does that sort of thing, it is just possible that he might be doing it in Criminal cases which he has to try?—My experience of the Indian Officer under those conditions is that he is most punctilious, perhaps scrupulously punctilious. I said in his administration of the district, not dealing with isolated cases.

37135. I thought your answer meant that the magisterial work was a part of the administrative duties?—I have never looked upon it as such. It no doubt is in part, but I was dealing more particularly with cases.

37136. From your experience you are quite prepared to say that the magistrate can decide all and every case that comes before him with no idea in his mind whatsoever as to how his decision will be regarded by his Executive superiors?—Are we talking of the Indian Deputy Commissioner?

37137. I am speaking of the third class, second class, and first class magistrates. Is it your experience that in all the cases that come before these gentlemen to be tried they decide absolutely without any idea of how their decision is likely to be regarded by their Executive superior officers?—I have been here 22½ years and I have heard of three cases.

37138. (Sir Murray Hamrick.) I should like to try to understand this scheme a little better. You proposed to give scholarships to

assist Indians to get into the Civil Service by going home?—That is so.

37139. And you propose to have a Service out here which is to hold certain posts belonging to the Civil Service, which should be quite separate from it?—Listed posts and those added to them.

37140. You propose eventually to have a Judicial Service which will consist of men separately recruited?—Yes.

37141. How many posts are you going to give this separate Statutory Service besides the listed posts?—Four heads of sub-divisions or districts.

37142. You have no idea that the men in this Service should ever attain to Commissionerships?—I do not contemplate it certainly. I go so far, on the other hand, as to contemplate that the English civilian will only get a Commissionership under the strictest principle of selection.

37143. You speak in your answer to question (47) of the present anomaly being one of your reasons for wishing to see the abolition of the listed posts and their inclusion in a separate cadre for Statutory Civilians and also for the Provincial Civil Service. I cannot understand what you have in view there?—What I meant there was that I did not approve of a system by which you get persons supposed to be in the same Service drawing different pay for doing the same work. If it is a different Service I have no objection in what way the pay is graduated. I would not call them listed posts and say they were posts which by one man were to be held on a different salary from what they were held by another.

37144. You also speak of a separate cadre for Statutory Civilians and also for the Provincial Civil Service?—The "and also" ought to be "which would be also part of the Provincial Service."

37145. You would retain the Provincial Service as a separate service altogether?—Yes.

37146. And have this Indian Statutory Service?—No. I mean it is all one, but in this Service the system of selection should be nomination followed by examination, in order to attract not only the class that go into it at present, but also members of the other class to which I have referred.

37147. You would retain the name of Provincial Civil Service?—If you like.

37148. And the only difference would be that you would have two methods of recruiting into it; you would try and get the Statutory men into it by selection. Would you give them a better chance than the rest of the Service to obtain these high appointments?—None.

37149. What it comes to is that there will be an Indian Civil Service recruited at home and a Provincial Civil Service which will have more posts than they have at present?—Yes.

37150. That is to say, that the Provincial Civil Service will have more Collectorates and more Deputy Commissionerships given to them than they get at present. Do you think that that will satisfy anybody who is asking for the employment of more Indians in the Service? Do you think it will go the smallest way towards satisfying the public sentiment which has been expressed in the desire that the Indians should get more posts in

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the Civil Service?—I leave the Civil Service absolutely open to everybody.

37151. By going home to England?—Yes. I give scholarships. I am providing here for a different class altogether. I am providing for three classes of persons, for the man who can stand up in an examination against his fellows at home, for the poor talented Indian who has gone to the University who is to have a chance by my scholarships, and I am also providing for raising the status of the Provincial Civil Service by attracting into it men drawn from families of the position I have suggested, and I am increasing the number of posts open to them.

37152. One of the great objections raised to the Provincial Civil Service as it stood was that being an inferior Service to the Indian Civil Service it did not attract men from the class that the Government desired when they selected Statutory Civilians, and therefore the Statutory Civilians were put directly into the Civil Service.—Every man wishes to rise to a position of command and government. I am now increasing that. Perhaps not on the same scale as a district, but I am offering to them six places where they can have entire charge subject to due subordination to a superior officer.

37153. Entire charge of a district?—Yes.

37154. (*Mr. Standen.*) I want to ask a few questions with the idea of giving the Commission some conception of the character of the work done by members of the Bar in India. In the first place are there a small number of very large money-lending firms in Nagpur?—Yes.

37155. In how many districts do these firms do business?—In a number of districts.

37156. You would say that there are three or four firms in Nagpur doing business in several other districts?—Yes.

37157. Could you give us any sort of idea as to what proportion of the civil business before the Courts arises from these firms?—A distinct percentage.

37158. Do these large firms always employ Standing Counsel?—As a rule.

37159. Would some of them have more than one?—Yes, a number.

37160. And there being no Solicitors in these Provinces the Barrister or Pleader has to deal direct with his client?—Yes.

37161. So that a member of the Bar here is the confidential adviser of his client exactly in the same way that a Solicitor at home is the confidential adviser of his client?—Precisely.

37162. Would it be correct to say that this must produce a man of a different type from the Barrister in England?—Are you speaking of an English Barrister who comes out here?

37163. No. I am comparing an English Barrister practising at home with an English Barrister practising in India?—An English Barrister after ten years' practice in India will have a different type of legal mind from the Barrister practising at home for ten years.

37164. And not necessarily only a legal mind but his outlook on life will be quite different?—I do not think so. I think the ground-work is the same and the man practising on a Circuit at

home has very much the same class of work to do.

37165. You do not think the fact that he is also, in a sense, the agent of his client, will not produce a different frame of mind?—He is never more an agent of his client than he is at home in a case.

37166. Except to this extent, that he advises as to the way in which the case shall be instituted?—Only in the way that conveyancing people and others advise at home.

37167. Does he not go beyond that?—Not that I am aware of.

37168. Would it not be true to say that he advises on any matter of importance?—I have known of some cases where they do, but it is not the general rule. It is putting it high to say that I know of half a dozen cases altogether in the provinces.

37169. Do you consider that the fact that you have to deal direct with your clients may be said to increase the temptation to irregular conduct?—It is possible.

37170. I impute absolutely nothing of course to anybody?—I think it is possible.

37171. Do you think the moral fibre of the average member of the Indian Bar is stronger than that of a Barrister at home?—It is not less strong, the average fibre.

37172. But you think it is not stronger?—I could not say it was stronger.

37173. If the temptations are greater would it be correct to infer anything from that?—I do not think so.

37174. (*Mr. Mahdi Hasan.*) In reply to a question by a member of the Commission you stated you know that Indian Deputy Commissioners have asked advice from other officials in connection with administrative matters. Can you not say the same of European Deputy Commissioners or you confine it to Indian Deputy Commissioners whether in the Indian Civil Service or the Provincial Civil Service?—If desired I will hand the names to the President. I have said that I know of instances where Indian Deputy Commissioners have taken advice in administrative matters from the District Superintendent of Police, the Forest Officer, and the Doctor, and I am willing to give in some names if necessary.

37175. I do not want any names, but I wanted to know whether you refer to the Provincial Civil Service Deputy Commissioners or Indian Civil Service Deputy Commissioners?—I referred to more than one instance.

37176. Indian Civil Service Deputy Commissioners?—I will say not necessarily members of the Indian Civil Service.

37177. What do you mean by administrative matters. Are they not required to consult the Civil Surgeon and Commissioners of Police and Forest Officers and others on administrative matters?—I think the advice I am referring to was taken more in the nature of a panchayet than in the nature of a distinct reference. They sought advice.

37178. How many Provincial Civil Service Deputy Commissioners have there been in the Central Provinces?—There are very few.

37179. Can you give me the number?—I have known under half-a-dozen.

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37180. In reply to question (12) you say "I would suggest the substitution of the word Indian and Anglo-Indian : Indian to mean all those referred to under the definition who have no English blood in their veins or are of English descent on their mother's side only ; Anglo-Indian to mean all those referred to in the definition who are of English descent on their father's side." Will you state the reason why you would class as Indians such persons as are of English descent on their mother's side and as Anglo-Indians those that are of English descent on their father's side ?—Because I have always understood that the wife takes her husband's nationality.

37181. (*Mr. Thakur.*) May I understand exactly what the position of the Provincial Civil Service is in your scheme?—I think it will be just the same as at present.

37182. All the listed posts at present open to the Provincial Civil Service will remain open in your scheme?—Quite open.

37183. If you are putting an obstacle in their way in getting from the Provincial Civil Service to the higher Service, once they have got over that obstacle and got into the higher Service would you make further progress easy to them?—I desire to put no obstacle in the way of one more than any other member of the Provincial Service.

37184. After a member of the Provincial Civil Service has been drafted into the listed posts, would you allow him to go as far as his ability, capacity, and time of service carry him?—And the conditions of his service carry him. I do not know what they would be.

37185. You have spoken of a case in which you say Additional District Judges trying a Criminal case look at evidence as if it were being given in a Civil case. Will you explain a little more fully what the difference is?—I will tell you what happened in this particular case. In this particular case a very important document was produced towards the end of the trial. It was a piece of evidence of great importance, and it was rejected as having been produced too late. A man's life depended on that document, but it was rejected as being filed too late.

37186. What difference did it make in the case, although the Judge may have been wrong in objecting to it?—The man was acquitted and the case is being appealed against. The Judicial Commissioners have already expressed some opinion, but the case is pending.

(The witness withdrew.)

(Adjourned till to-morrow at 10-30 A.M.)

Thursday, 20th March 1913.

THIRTY-SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman.*)

THE EARL OF RONALDSHAY, M.P.
SIR MURRAY HAMMICK, K.C.S.I., C.I.E.
SIR THEODORE MORISON, K.C.I.E.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.

WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
HERBERT ALBERT LAURENS FISHER, Esq.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

BERTRAM PRIOR STANDEN, Esq., C.I.E., I.C.S.,
Officiating Commissioner, Berar.

RAO BAHADUR KASINATH KESHAB THAKUR,
I.S.O., District and Sessions Judge, West
Berar Division.

MAHDI HASAN, Esq., I.S.O., Extra Assistant
Commissioner, Jubbulpore.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. (*Joint Secretary.*)

R. N. MUDHOLKAR, Esq., Advocate, Judicial Commissioner's Court, Central Provinces and Berar.

Written answers relating to the Indian Civil Service.

37187 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—So far as

European British subjects are concerned, the present system of recruitment by competitive examinations held in England for the Indian Civil Service has proved far more satisfactory than the system which existed in that Service prior to 1858 or which exists in the other Services even now. I am free to admit that the method of selection by competitive examinations is not

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an ideal one. Many theoretical objections can be urged against it. Many flaws can be pointed out in actual working. But taken as a whole, it is less open to serious objections than any other system. It avoids the evils which are inseparable from a system of nomination; and with the adoption of a high standard, such as exists, it secures as a rule men of more than average ability and good education, who can hold up their heads and say "We are not recipients of favour and patronage." It may at times fail to give entry to men of exceptionally superior talents, but it shuts the door against the far graver evil of the admission through influence and favour of the large number of incompetents who invariably get in under a system of nomination. The principle underlying the method of admission by competition is as true to-day as it was in 1853, when the evils of nomination were exposed. I have seen so much of the unsatisfactory working of this latter system in regard to the appointments of both Europeans and Indians, that I would earnestly deprecate even the slightest relaxation of the rule confining admission to the Indian Civil Service by the door of an open competitive examination alone. There is in my opinion little justification for the opinion at times expressed that the present system has not given to the country as high a type of administrators as the old system. The majority of Commissioners and Collectors from among the "Competition-wallahs" are, in my opinion, more capable than the corresponding Haileybury men, while there are to be met always some very able and brilliant officers who can stand comparison with the best products of the old system. The high and exacting standard necessitated by the present system secures a more certain and steady flow of capacity than recruitment by nomination, which does not carry the same guarantees of ability. Indians, however, labour under a very great disadvantage under the existing system by the fact of the examination being held in England. Very few persons can afford to incur the heavy expenditure of two or three years' stay in England for the mere chance of obtaining an entry into the Civil Service. Those who have means (and their number is not large when we compare the extent of the country and the number of the population) have seldom the inclination and the application to go in for a difficult examination. The youth of the middle classes, who in India as in every other country constitute the backbone of society, have the ambition and the desire, but very few have the means. The result is that Indians do not have the same opportunities and facilities that the residents of the United Kingdom have; and there is a legitimate grievance that the examination in England does not afford to our men the fair field that they are entitled to have. They do not ask for any favour. All they want is fair play. There is not the least desire to obtain any lowering of standard or any special concessions; but there is an almost universal objection among the educated classes to the practice restricting the seat of examination to London. This subject will be dealt with further in answering questions (3) and (6).

37188 (2). In what respects, if any, do you find the present system faulty in detail, and what

alterations would you suggest?—Sanskrit and Arabic should be placed on the same footing as Greek and Latin. In these latter the sub-division and marks assigned are:—

Translation	400
Prose Composition	200
Verse Composition	200
Literature, etc.	300
TOTAL	1,100

while for Sanskrit and Arabic the highest marks assigned are 800. I cannot say anything of Arabic as I do not know it, but Sanskrit, which I have studied, is so highly developed and so varied in its literature that it can justly claim equality with Greek and Latin. There is no reason why Indian History and Hindu Law should not be included among the subjects for the competitive examination. There is one matter of detail which is a source of great hardship. Under the rules only British subjects are eligible to appear for the examination. There are in India provinces and districts which are held by the British Government, on a permanent tenure, the administration of which is vested solely in it, over which it enjoys the most plenary jurisdiction, legislative, judicial and executive, but over which the nominal sovereignty of some Chief or Prince is preserved by treaty. The residents of these provinces and districts are for all intents and purposes as much British subjects as the residents of tracts forming the dominion of His Majesty the King-Emperor. It is a curious anomaly, causing grave injustice and hardship, that the residents of these tracts cannot appear for the Civil Service Examination which supplies officers who carry on their administration. The residents of the remotest parts of British India or of the British Empire can become and are members of the Berar Commission, but no Beraree can, if the entry to these offices continue to be governed by the same rules as apply to the Central Provinces.

37189 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As indicated in my answer to question (1), I do not think that the present system of holding the examination in England is as suitable for the admission of "Natives of India" as it is for the admission of residents of the United Kingdom. These latter enjoy an advantage which is denied to the former, who are seriously handicapped in having to spend at least two or three years at a youthful period of life at a distance of 6,000 miles away from home and relations, and undergo a heavy pecuniary sacrifice in pursuit of an object very difficult and uncertain of attainment. These impediments are so serious that they have come in the way of many a brilliant youth, and effectually prevented them from trying for the Civil Service Examination. The result is that Indians are very inadequately represented in this the most highly considered of all the services, as in fact they are in all the higher appointments. Such a position has caused great dissatisfaction among all classes of the community who have intelligence and education

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enough to understand these matters. In the interests of England and India alike, and for the good of the British Empire, the contentment and attachment of the Indian people demand the first care of Government and of the statesmen who conduct the affairs of the Empire. Justice and righteousness have been authoritatively laid down as the basal principles of British rule in India; fair and generous treatment of the people the key-note of its policy. The Statute of 1833 has laid down the eligibility of Indians to the highest offices under the Crown. The great Proclamation of 1858 has given the solemn pledge that as far as may be Her Majesty's subjects, of whatever race or creed, will be freely and impartially admitted to office in Her Majesty's service, the duties of which they may be qualified by their education, ability and integrity duly to discharge. To what extent has the right given by the Statute or the Proclamation been given effect to in practice? Twenty years after the enactment of the Statute of 1833 Parliament found that no effect had been given to that measure. During the discussion on the Act of 1858 on joining the recruitment of the Civil Service by competitive examination, it was pointed out by Lord Stanley and several other members of both the two great parties, that the institution of an examination in England would not afford any adequate facilities to the people of India for entry in that Service. In 1859 a Committee of the India Office was appointed to go into the question. The members were all retired Anglo-Indian officers of long experience. In the report which they submitted in 1860 they recommended that to do justice to the claims of Indians the competitive examination should be held simultaneously in England and in India, that the candidates be classified in one list, and that the selections be made strictly in order of rank. No effect was given to this recommendation. Seven years later, at the repeated representations of the East India Association, Sir Stafford Northcote instituted nine scholarships, but these were withdrawn by his successor, the Duke of Argyll, who gave effect to the proposal of Sir Stafford Northcote for an amendment of the Indian Civil Service Act of 1861, empowering the authorities in India to appoint, under regulations to be framed, Natives of India as defined therein to scheduled appointments without passing the Civil Service Examination. After nine years' correspondence and discussion the required regulations were made and the Statutory Civil Service came into existence. The assignment of one-sixth of the scheduled appointments to be worked up to in an official generation was a partial though very inadequate concession to the just demands of Indians. But even such benefit as could have resulted from a wise and just exercise of the powers conferred by the Statute of 1870 was minimised by the unfortunate manner in which selections were made. In the discussion which preceded the promulgation of the rules, Lord Lytton penned a minute in which occur the following passages: "The Act of Parliament is so undefined, and indefinite obligations on the part of the Government of India towards its Native subjects are so obviously dangerous, that no sooner was the Act passed than the Govern-

ment began to devise means for practically evading the fulfilment of it. Under the terms of the Act, which are studied and laid to heart by that increasing class of educated Natives whose development the Government encourages without being able to satisfy the aspirations of its existing members, every such Native if once admitted to Government employment in posts previously reserved to the Covenanted Service is entitled to expect and claim appointment in the fair course of promotion to the highest post in that service. We all know that these claims and expectations never can or will be fulfilled. We have had to choose between prohibiting them and cheating them; and we have chosen the least straightforward course. The application to Natives of the competitive examination system as conducted in England, and the recent reduction in the age at which candidates can compete, are all so many deliberate and transparent subterfuges for stultifying the Act and reducing it to a dead letter. Since I am writing confidentially I do not hesitate to say that both the Governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear." Indians emphatically dissociate themselves from the insinuations against the authors of the Act of 1833, the Queen's Proclamation or the Act of 1870. But that there are powerful persons whose attitude is what is so aptly described by Lord Lytton cannot be gainsaid. When the appointments to the Statutory Service were made, the protest arose from the Indian papers from every province, that persons selected were not in the larger number of cases from among the capable, qualified and deserving ones. Since the fitness of Indians for employment in the higher branches of the administration would be judged by the success of the Statutory Service, it was, they said, eminently unfair to appoint men of barely average ability and very ordinary education to such posts, simply because they came from old families or had influence behind them, when there were hundreds of very capable and highly cultured men of high character and respectable families available in every province. Before many years had passed the Anglo-Indian Press began to talk of the failure of the Statutory Civil Service. The Public Service Commission of 1886, which was appointed to devise a scheme for the greater and wider employment of Indians in the higher branches of the Administration, did not give the simultaneous examination demanded by the educated Indians, but they even took away the Statutory Civil Service, substituting in its place an inferior service, and gave to the Indians sixty less appointments than what they would have got under the rules of 1870. Disappointed with the result of the Public Service Commission, their hopes were again roused when Mr. Herbert Paul's resolution passed by the House of Commons was referred to the Indian Government. But there also disappointment was in store. Though sixty years have passed since it was pointed out in Parliament that the examination in England would not afford to

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Indians the facility for entry they were entitled to have, and fifty-three years since the India Office Committee recommended simultaneous examination, the disadvantages and difficulties the Indians labour under still continue and the only satisfactory solution remains still unaccomplished. The most necessary and the chief alteration I would suggest is that the competitive examination should be held simultaneously in England and in India, those who appear being classified in one list and selection made in order of merit. For further particulars please see answer to question (6).

37190 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do consider that the combination of the competitive examinations for the three services is to the advantage of Indian interests in these respects: (a) it secures a high standard of examination, which I regard as absolutely necessary; (b) it minimises the chances of capricious or one-sided regulations inspired by powerful class interests; and (c) it provides in the Civil Service Commissioners an independent agency which, by its position, has to treat all questions as they would affect all the three Services. There is no material or other substantial advantage. Indians are excluded from service in the Crown Colonies except Ceylon, and in Home Service hardly one in a hundred is ever likely to enter.

37191 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I consider a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty, as not only highly desirable, but absolutely necessary if justice is to be done to the people of India and facilities equal to those afforded to the residents of the United Kingdom are to be afforded to them for obtaining an entry in the highest service in their own country. The question for consideration is whether loyal effect is to be given to (a) the Statute of 1833; (b) Her Majesty Queen Empress Victoria's great Proclamation of 1858; (c) His Majesty King-Emperor Edward VII's Proclamation of 1908; (d) the declarations and announcements of His Majesty King-Emperor George; or the policy described in Lord Lytton's Minute of breaking to the heart the words of hope uttered to the ear to be continued. Approaching it with the single desire to secure the best interests of England and India, I consider that the time has long come when Indians should be more associated in the higher work of administration than at present. The policy given effect to in the expansion and elevation of the Legislative Councils, in the creation of new Executive Councils, and of appointments of Indians in the Council of the Secretary of State and the Executive Councils in India, should be adopted in regard to the Civil Service and in the higher branches of all the different departments. Equality of treatment and equal opportunities are

all that are pleaded for. The objections against simultaneous examinations are set out in the Government of India's despatch to the Secretary of State of November 1893. Briefly they are as follows:—(i) There are practical difficulties of serious character in introducing a system of simultaneous examinations. (ii) It would be unfair to the people of the Colonies like Canada, Australia, New Zealand, etc., to institute a simultaneous examination only in India. (iii) Open competition is not the best way of selecting Indians for the higher ranks of the Service. It may be necessary in Europe in order to check nepotism, but in this case nepotism is impossible. Probation by actual employment forms a competitive examination of the best kind. Competitive examinations in India would certainly have the effect of admitting a large number of competitors deficient in the qualifications necessary for the higher ranks of the Service and whose birth and antecedents would not be such as to command the confidence or the good-will of the classes for whose welfare they would be responsible; on the other hand, it would exclude the most valuable and capable assistance which the British Government could obtain from the Native of India, i.e., the Sikhs, Muhammadans and other races accustomed to rule and possessing exceptional strength of character, but deficient in literary education. (iv) In order to ensure the efficient government of the country a minimum of European officials is indispensable. Such a minimum could not be maintained in the event of simultaneous examinations being held in this country. (v) It would be entirely out of the question to reduce the existing minimum of Europeans at the present time. The first objection has ceased to have any force now, as there is no *vivâ voce* examination, except the conversation test in French, German and Italian; and as to this there is no practical difficulty in a place like Calcutta or Bombay. As to the second argument, it cannot be treated as serious. The self-governing Colonies recruit their Civil Services within their own territories. Indians are practically inadmissible there, and with the obstacles interposed to the very entry of Indians in those Colonies, there is no reason why the interests of the residents there should claim any consideration. In the Crown Colonies, Indians are not appointed even if they succeed in the competitive examinations. In regard to the objections coming under the third group, I would, with the greatest deference, submit that it is not correct to say that nepotism is impossible in India. Numerous instances can be given of improper exercise of the power of nomination when the controlling check of a competitive examination is absent. When selections are made without any guarantees of culture or abilities and the nominees are as a rule confirmed, it is impossible to understand how "probation by actual employment is competitive examination of the best kind." There was an outcry in 1886 about the inferiority of the Statutory Civil Service. Similar charges are made now against the Provincial Service men appointed to listed posts. As a general statement these assertions are not correct in regard to tried officers of the Subordinate Executive and Judicial Services promoted to listed posts, but they are founded in regard to selections made on grounds

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of high connection or race descent. This only proves that the method of appointment by nomination is as unsafe in India as in England. About competitive examinations giving admittance to a large number of competitors deficient in the necessary qualifications, it is submitted that they are more likely to secure those qualifications than a system of nominations. No person can successfully compete in an examination like the Civil Service unless he possesses intelligence of a high order, steadiness, sobriety, industry, close application, self-denial, self-control and perseverance. If any further guarantees of character are wanted they can be secured under a proper system. It might be respectfully inquired, what tests as to possession of character were applied in the case of those favoured persons who were honoured by local Governments with nomination to the Statutory or the Provincial Civil Service and other high first appointments. As to the plea about the social position and rank and about justice to the so-called martial races, I would ask whether the test of education, ability and integrity laid down in Queen Victoria's Proclamation is to be abandoned and a new test based on "high descent," as it is called, influential connections and race considerations to be substituted for it. It can be easily shown that indifferent education and assiduous attention towards persons of official eminence, combined with connection with some historic or rich families, were the only qualifications which some nominees to high posts possess. The excuse about possible injustice toward Muhammadans can have no meaning now when we see the immense strides made by that community in education and public life. It would be wrong to call the Muhammadan community a backward community. Education is also spreading among the Sikhs. Another wrong assumption is that persons who would in the majority of cases compete for the Civil Service would come from classes who in past time held no high political or official position and possessed no great social status. This assumption is in direct variance with facts. Such a thing cannot be said of the Brahmans of the Deccan, whose ancestors signalled their capacity both in the battle-field and in the region of administration. The Brahmans, the Kayasthas, or the Baidyas of Bengal have certainly been connected with administration. The majority of the Maharajas and Rajas, hereditary or otherwise, come from these classes. But I take a higher position. Is the British Government to be a unifying power or has it to countenance the perpetuation of distinctions of race, creed and caste? Are the highest appointments in the Public Service to go by merit or is a fictitious standard of balance of parties to determine these appointments? I respectfully submit, it is an utterly un-British position to take up. The only argument which deserves serious consideration is about the unimpaired maintenance of the ascendancy of the British principles of Government, and preserving the high standard of efficiency and purity of administration, which is the distinctive feature of that Government. I would, with due deference, submit that this is raising an issue which does not at all arise. The principles of Government are determined by Parliament, and the methods of administration

by that authority, or the Secretary of State, or by the Government of India with his sanction. No District Officer nor even a Commissioner can make any change in the principles of Government or the methods of administration. It is impossible to conceive how those principles and those methods would be affected by the proportion of the Natives of India holding the scheduled appointments being 50 per cent. instead of about 18 as at most possible at present. One fact which is always impressed upon Indians is that the majority of Judicial and Executive officers commencing with Sub-district Officer and Subordinate Magistrates are Indians. Now, if with one million and a quarter of Indians in the Government service the essentially British character of the administration has not been affected, what basis is there for saying that danger would arise, if out of 1,444 of the posts coming under the Schedule 722 are held by Indians, instead of about 200 or 250 as under the present system. The argument to which the greatest weight is attached is that to maintain the essentially British character of the administration and to preserve British principles unimpaired, there must be a minimum of Europeans in the Civil Service; that the number of appointments open to Indians cannot safely be allowed to exceed a certain proportion; that the scheme sanctioned by Lord Cross in 1892 permits only a minimum of Europeans, and that the number of places open to Indians in India cannot now be increased without endangering the character of the administration. A cogent and I believe a conclusive answer can be given to that position. Taking first the last point, that the proportion of one-sixth which is proposed to be worked up to cannot be allowed to be increased, it has to be observed that this proportion of one-sixth was what was laid down in 1879. It was one which was evidently considered suitable in the state of things as then existing. During the 33 years which have elapsed since then, education has made tremendous advance. The number of capable men has immensely increased. The proportion which held good at that time can obviously not hold good now. With the vastly larger number of men of real education and culture a greater scope is necessary. The Government of Madras pointed out in 1893 that one-third of the scheduled appointments could even then be thrown open to Indians, and this was a view which the Honourable Mr. Garstin also—the dissenting Member of the Council—agreed to. That Government further stated that the limit of one-third would in course of time have to be raised. The argument, therefore, that the limit of one-sixth cannot be exceeded will not stand. But coming to the central position, what I would point out is that what is insisted upon for the preservation of the high English tone of the Government is the presence, not of Englishmen or of Britishers either, but of Europeans. The entry of Frenchmen, Germans, Dutch will not matter. They are of foreign extraction. Their political traditions are different. At times the relations between the nations from which they have sprung and the British nation may be strained. But they can be depended upon to maintain the character of the administration all the same. Irishmen, towards

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whom a large body of Englishmen have intense bitterness and are considered by these as unfit for Home Rule, are deemed quite fit to maintain the British principles in India. The Boers of Transvaal and Orangia, with whom only twelve years ago there was a fierce war, can similarly be trusted. Indians, on the other hand, who feel and believe that their very existence is entwined with the maintenance of the British rule, who are saturated with the doctrines of English political philosophy, who have loyally and peacefully lived under the British flag, some for over hundred and fifty years and all for over sixty years, cannot be sufficiently trusted and relied upon to work the principles they believe in and have lived under from their infancy. I submit, what is of the real essence is the unimpaired preservation of the British principles of Government and of the British methods of administration. The race of individuals, who have to do it, is a matter of secondary importance, provided they have fully grasped those principles, caught their spirit, thoroughly understand and appreciate those methods. It is generally conceded that this essential condition is fulfilled by those Indians who enter the Civil Service through the competitive examination held in England. The high education which they receive and the personal knowledge which they obtain by residence in England are deemed to achieve this result. Now, what is there to prevent the acquisition of the same high education, the same personal knowledge of English political and social life by men appearing for the same examination held simultaneously in India, if these men after selection spend two years at an approved University or institution in the British Isles? What is required is that the superior agency in the administration possesses certain mental and moral qualifications and has come into contact with British institutions and society. The nationality of the individual is a matter of minor importance so far as this aspect of the case goes. Then again, what is the justification for the assertion that if the competitive examination is held in India along with the examination in England the Indians would extensively oust the Britishers? The Englishmen who say so do grave injustice to the capacity of their countrymen. The Indians who succeeded in obtaining entry into the Civil Service through the English examination have been for the most part men of exceptional calibre, and these men constitute a bare 5 per cent. of the successful candidates. If simultaneous examinations are instituted, another 5 or 7 per cent. from among the superior youths of India would probably be all that could succeed in getting in. Of the men who would get in by the Indian door some at least would be of European extraction pure or mixed. We can thus realise what is the real extent of the danger of which so much is made. Let us assume that the proportion of 5 Indians to 95 Britishers shown by the present method is so largely exceeded that as many as 3 Indians get in by the Indian door in addition to the one by the English door. That would only mean that by the method of simultaneous examinations there would be 20 Indians who would find entry in the Civil Service to 80 Britishers. Add to these 20 the

16 per cent. the maximum enlistment allowed by the rules under the Statute of 1870, there would be only 36 Indians as against 64 Britishers, and of the 36 Indians some at least would be Statutory Indians of European descent. That would not be such an alarming proportion of Indians of pure descent as to seriously affect the fundamental character of the administration. The Government of Madras 20 years ago regarded one-third Indians in the Civil Service as not an objectionable number. The great thing to be jealously looked after is the purity and efficiency of the administration. Now, have not these essentials been kept unimpaired by Indian Magistrates, Collectors, and District and Sessions Judges? There have been instances of districts where the Collector and District Magistrate was an Indian, the Superintendent of Police was an Indian, the Civil Surgeon and the Superintendent of the Central Jail was an Indian, and nobody had any ground for doubting the purity of the judicial administration and the efficiency and strength of the executive administration. I ask our Government, I ask every liberal-minded and impartial Englishman, to consider the facts I have mentioned and then to say whether the system of simultaneous examinations is attended with the dangers attributed to it. It may result, and probably it will result, in some individual loss on a small scale to one class and a corresponding individual gain to the other. But as Sir Dennis FitzPatrick frankly admitted, the interests of a couple of hundred families are not the matters to be taken into account. If the assurances lately given of satisfying more fully the legitimate aspirations of Indians for larger employment in the higher branches of the Public Service are to be translated into practice, and they are to be fully and impartially admitted under the test of "education, ability and integrity," then the only safe way of doing so is by the method of competition. No other procedure can be adopted without serious disadvantages. Selection means more or less of favour and a lowering of standard. It brings in its train administrative inefficiency and deteriorations of character—of both the dispenser of patronage and its recipient. The Government and the people have to guard against this. The successful candidates should pass a period of probation of two years. These two years should be passed in England at some approved educational institution by those who appeared at the examination held in India. This would secure that knowledge of English life and institutions which it is desirable that members of the Covenanted Civil Service should have. I have said above that there is no real danger of the Civil Service being swamped by Indians. I believe that not more than one-third of the recruitment of each year by competitive examination will consist of Indians even under a system of simultaneous examinations. I quite admit the necessity of a substantial European element in the scheduled appointments. Supposing that one-third of the successful competitors are Indians, these, with the one-sixth of "Natives of India" entitled to be appointed to scheduled posts in accordance with the rules of 1879 framed under the Statute of 1870, would constitute 50 per cent. of the Civil

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Service, and the other 50 per cent. would be Europeans. Such a proportion would be sufficient to give that security for the unimpaired preservation of the British spirit of the administration, about which apprehensions are entertained by some people. To allay such fears, I am prepared to concede that it might be laid down that the number of Indians recruited by the competitive examination held simultaneously in England and in India should not exceed in any year one-third of the total appointments open for competition in that year.

37192 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—As a compromise and to allay apprehensions given expression to by some about the deterioration of the character of the administration, I am prepared to have, as stated in my reply to question (6), a regulation laying down that, of the scheduled appointments exclusive of the one-sixth open to "Natives of India" by the rules of 1879 framed under the Statute of 1870, only one-third should be open to Indians; but I would not have a separate examination for it in India or in each province. I hold that no ground should be given for making any insinuation in regard to Indians entering the Indian Civil Service that they obtained entry under an easier examination than the competitive examination; they should be tested by the same standards as their European competitors. The method advocated in my reply to questions (3) and (6) is the most suitable one.

37193 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—This question has been partially answered. I have expressed my strong objections to nomination. Combined nomination and examination will probably not be so bad as nomination pure. But the door of favouritism and prejudice would be still kept open, and the demoralizing influences which I am anxious should be removed would still continue. The principle that all classes and communities should be represented in the appointments reserved for the Indian Civil Service is subversive of efficiency, opposed to the only safe standard of education, ability and integrity laid down by the Proclamation of 1858 and impossible of observance. There are some 2,400 castes and tribes in India according to the census tables of 1901. May I respectfully ask whether this principle of representation of all classes and communities is observed in the United Kingdom or thought of for a moment in regard to European Civilians?

It would be interesting to know how this idea of having representatives of all classes and communities is given effect to at present or how it is to be worked out in the future. Let us take the 103 listed posts open to the Provincial Service. Is it possible to have representatives of the different sub-castes of Brahmans, of the Kshatriyas, the Vaishyas and the well-nigh innumerable castes and sub-castes who come below them? And then what of the aboriginal tribes? The only possible test and qualification is that of ability, education and integrity.

37194 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—This is practically answered. I advocate simultaneous examinations in England and in India open in both countries to all natural-born subjects of His Majesty, including in that term the permanent residents of territories held on a permanent tenure by the British Government and over which that Government has complete jurisdiction, legislative, judicial and executive.

37195 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu, or, as supplementary to, the present system of promoting to listed posts, officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—My system advocated above does not deal with the appointments which came under the Statute of 1870 (33 Vict., c. 3, section 6). I shall submit my views and suggestions in regard to the latter in answering question (21).

37196 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—The general administrative arrangement which I consider desirable is that there should be a complete separation of judicial and executive functions. In almost all the provinces there is now a separation of civil or judicial and executive functions. Criminal judicial functions should similarly be dissociated from executive functions. The Collector should no longer be the Magistrate of the District, and the Assistant Magistrates and Deputy Magistrates should not be Assistant Collectors or Deputy Collectors. The High Court Judgeships and one Membership of Council should belong to the judicial branch. The Indian Civil Service will have according to my idea to be split up into two branches from the beginning: (a) the Executive and General Administration branch and (b) the Judicial branch. There should be separate examinations for the two branches held simultaneously in England and in India. The syllabus for the Executive and General Administration branch should be the same as at present. For those who wish to compete for the judicial there should be a compulsory subject, Law, with 1,500 marks consisting of sub-heads (i) Roman Law and General Jurisprudence, (ii) Law of Contracts and Personal Property, (iii) Equity and the Law of Real Property, (iv) Criminal Law and Torts, (v)

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Law of status with special reference to Hindu and Muhammadan Law, (vi) Evidence and Procedure, etc. The subjects for the other 4,500 marks should be any of the present ones, and the papers in these latter should be the same for the two branches, the Executive and the Judicial.

37197 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—The only change in the definition of the term "Natives of India" that I have to suggest (and I urge this most strongly) is to add after the expression "Dominions of His Majesty in India" the words "or within territories or places held and possessed by the British Government on a permanent tenure with full powers of administration, legislative, judicial and executive.

37198 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I think the present limits are suitable.

37199 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five or twenty-six years.

37200 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons?—Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I think the present age-limits are quite suitable to Indians. I do not wish any differentiation in age-limits to be made between Natives of India and other natural-born subjects of His Majesty.

37201 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—There should be no differentiation in subjects.

37202 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I would keep the schedule to the Civil Service Act of 1861 with these two express provisos (i) that one-sixth of these posts are allotted for appointments under the Statute of 1870 (33 Vict., c. 3, section 6) and (ii) that the two branches, the Executive and Judicial, are kept separate.

37203 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian

Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I have already stated that, speaking of the present time, I do think it necessary that half the posts reserved for the Covenanted Civil Service should be held by European British subjects and that the other half only should be open to Indians, $\frac{1}{3}$ rd for those seeking entry by the door of competition and $\frac{2}{3}$ th for appointment under the Statute of 1870.

37204 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre, partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—This is practically answered. The system I consider satisfactory is of admission by the medium of competitive examination held simultaneously in England and in India and of appointments by special arrangement made in India under Rules framed under the Statute of 1870 in the manner described in the answer to question (21).

37205 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am strongly in favour of the revival of the system of appointment of "Statutory Civilians" under the Statute of 1870. The chief merits of that system in my opinion were that (i) the appointments were to be one-sixth of the total number of posts reserved for the Covenanted Civil Service, (ii) the Statutory Civilians were members of the Civil Service as distinguished from persons appointed only to particular posts, and (iii) could thus claim to be raised to posts which are not open to members of the Provincial Service. The recommendations of the Public Service Commission of 1886 and the orders of the Secretary of State passed thereon, instead of advancing the position of Indians, distinctly set them back. The Provincial Service is an inferior service: the number in scheduled appointments listed as open to men of that service number only 103, whereas one-sixth of 1,444 comes to 240: no places higher than District Officers and District and Sessions Judges are listed as open. What was done by the recommendations of the Commission and the Secretary of State's orders of 1890 and 1892 was to create an inferior service for "Natives of India" such as had been proposed by Lord Lytton's Government in 1878 but adversely and deliberately disallowed by Viscount Cranbrook. At least that measure of justice to Indians which that robust Conservative Statesman considered necessary should be accorded, to give due effect to the Statute of 1870. But the undesirable features of that scheme should be eliminated, *viz.*, the absence of guarantees of ability and education, which, owing to questionable selections, brought undeserved discredit on the system itself. What in my opinion should be done is to partition off one-sixth of the scheduled appointments up to Commissioners and Judicial officers of that standing, for the Statutory Civil Service: the salaries of the posts in this Service

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should be $\frac{1}{4}$ ths of the corresponding posts in the Indian Civil Service branch. For three-fourths of the Assistant Collectors, Assistant Commissioners and Assistant Judges in this "Statutory Branch," the recruitment should be by an open competitive examination for each province, the standard of which should not be lower than M. A. or M. Sc. standard: to the remaining $\frac{1}{4}$ th the local Government may make nomination of persons of proved merit and ability from among the natural-born or domiciled residents of that area within the administrative or political jurisdiction of that local Government, such persons being at least graduates of an Indian or United Kingdom University of five years' standing. Of the higher appointments allotted to the Statutory Civil Service $\frac{2}{3}$ ds should be reserved for the persons so appointed by competition or nomination and $\frac{1}{3}$ rd should be kept as prize appointments to deserving members of the Deputy Collectors, or Deputy Magistrates and Sub-Judges classes.

37206 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I would not advise the re-introduction in these Provinces of the system of recruiting Military Officers for posts in the Indian Civil Service cadre.

37207 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I would not have men from any other department put in in any of the posts reserved exclusively for the Civil Service.

37208 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians may be appointed to one-quarter of the listed posts?—Please see answer to question (21). As stated above in answer to other questions, I am strongly opposed to the unfettered power of nomination. My scheme as sketched under question (21) allows the present percentage for nomination but insists upon some guarantee of ability and culture.

37209 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No, I am not. I strongly disapprove of the system brought into existence under the recommendations of the Public Service Commission of 1886 of mixing up the inferior uncovenanted Civil Service appointments with the posts specified in the schedule to the Civil Service Act of 1861. In my view the scheduled appointments to be assigned to the Natives of India under the Statute of 1870 should be kept separate from even such appointments as those of Deputy Collectors, Extra Assistant Commissioners and Sub-Judges.

37210 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—No. It is not.

As stated in answers to foregoing questions, one-sixth of the "Superior" posts should be assigned for appointees under the Statute—that is 124 out of 743 and 107 out of 641 of the inferior posts. As to the reason, please see answer to question (21).

37211 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, I do.

37212 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—In my opinion the period should be of two years as formerly. Probationers who shall have appeared at the examination held in India should spend that period at some British University or approved educational institution. The courses of study for the final examination should be the same as now, with this difference that, if my suggestion (or something similar to it) in regard to a special kind of examination for persons recruited for the Judicial Service is accepted, these should be examined in Land tenures and Revenue system. The final examination should take place one year after the result of the competitive examination. The second year of probation should be spent by the probationers in the Judicial branch in attending Courts and sending reports with analysis and notes as under the system of 1891. Probationers in the Executive line should be required to attend the Home Office and India Office and submit similar periodical reports on appointed subjects connected with the general administration.

37213 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary.

37214 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. By all.

37215 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian services recruited in England?—Though the idea might at the first look appear a good one, it strikes me on fuller consideration as impracticable on account of the very heavy expenditure which it would involve and the inadequate results it would produce. With the second year of probation spent in practical instruction in superior surroundings, and under more liberal influences than can be had in an Indian college of the nature proposed, it would be a waste of time and money to have a further prolongation of the period of preparation for work.

37216 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first

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two years of service at some suitable centre?—I think it will be desirable that each Provincial Government should arrange for the practical training of officers by suitable courses of instruction during the first one year of their service. Four months of this should be spent in the Secretariat by officers of both the branches: four months by the judicial branch men in the High Court working under the Judges and in the Registrar's office, and by the members of the executive branch in the offices of the Commissioners and Settlement Commissioners, Directors of Agriculture, etc. The other four months should be spent by the judicial officers with the District and Sessions Judge—two months,—one month with a Sub-Judge and one month with a First Class Magistrate. The executive officers should spend this period with the Collectors and Assistant Collectors, half at head-quarters and half in camp.

37217 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Please see answer to question (34).

37218 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service?—If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I think there has been deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. The causes appear to be the spread of knowledge of English in the country which has supplied for each office a staff most of whom can speak and write English and there can be had even private servants capable of speaking some kind of English. With exceptions here and there, there seems to be a disinclination to learn the language of the people or to know anything of its literature. I have come across very few of the present race of European officers who have attained an adequate proficiency in the vernaculars I know, whereas among the old race of officers I found men who spoke Marathi not only fluently but also with the tone and accent of an educated Maratha Brahman. I can suggest no other remedy except the awarding of prizes and the issue of general exhortations by Government, and, what ought to be more efficacious, by making the lower and higher standard examination more of a reality and tests of knowledge and proficiency than they in fact are. The present tests of knowledge of the vernaculars are ridiculously low. I would have these examinations, especially in the vernacular languages, conducted by an independent body like the University. It is not high scholarship that I insist upon but only sufficient study to be able to read easily, without anybody's help, petitions, reports, diaries, etc., to carry on an intelligible conversation with men of the people, to conduct the examination of witnesses, accused persons, etc., to translate petitions from vernacular into English and to write down orders in the vernacular.

37219 (37). Please give your views as to what steps (if) are necessary to improve the proficiency in the knowledge of law of members of Indian Civil Service, distinguishing between recommendations applicable to all officers and officers selected for the judicial branch?—Please see answers to questions (11), (30) and (31).

37220 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—If my system of a separate examination for officers recruited for the judicial branch be adopted no special course of study should be laid down during the period of training. What should be required is that during the period of attendance in the High Court, District Court, etc., an officer under training should every month prepare a certain number of cases, containing analysis of facts, precise offence and judgments thereon. This work should be examined and reported upon by the Judge under whom he might be undergoing training.

37221 (39). Do you recommend any special training for subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—After the one year's training above referred to, a judicial officer should be required to work as a Munsif for one year, Subordinate Judge for one year, a third class Magistrate for six months, a second class Magistrate for six months, and a first class Magistrate for one year, before he is appointed an Assistant Judge or Sub-divisional Magistrate.

37222 (40). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural subjects of His Majesty? If so, please state the special arrangements that you recommend?—I would have no differentiation; and that for this reason. As far as possible an Indian officer under the system of competition should be appointed to a province other than that of which he is a permanent resident. The languages of the different parts being different and there being some difference also in manners, customs, judicial system, etc., Natives of India would have much to apply themselves to a study of these Europeans.

37223 (42). Is any differentiation necessary with regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent?—No.

37224 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—It has not struck me that any change in this respect is needed.

37225 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—In my opinion the only persons

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who had an equitable claim the exchange compensation allowance were the persons of European domicile who had ended the services before the fall in exchange became so pronounced as it did in the last decade of the last century. I do not think it should have been granted at any rate to persons recruited after 1898. But what has been done cannot be undone. There is, however, no justification for giving the allowance to persons who have not to make remittances to Europe for their families, viz., wife, children, mother or dependent sisters or minor brothers; and it should be given to such officers only. This should not depend upon nationality. An Indian who has a family in England should get it as much as a European. The allowance should be given only when the conditions requiring remittances exist. I consider that in the future exchange compensation should not be granted to persons entering the service of Government from 1914 or 1915.

37226 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would give no compensation for the abolition of the allowance.

37227 (47). Turning now to the case of the statutory civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would give them three-fourths of the pay of the post instead of two-thirds as at present.

Written answer relating to the Provincial Civil Service.

37228 (51). Please refer to Government of India Resolution No. 1040-1058, dated the 14th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would suggest one alteration in the rules defining the general conditions governing recruitment to the Provincial Civil Service. Half the recruitment in the executive branch should be by direct appointments by a competitive examination open to residents of the province who are graduates or have passed the intermediate examination of an Indian or British University. The examination standard should be at least as high as that for the B.A. or B.Sc. examination. Two-thirds of the other half of these appointments should be for men of the subordinate executive service—Mamlatdars, Tahsildars—and the remaining one-third for nomination by the Local Government of provincial residents who are graduates of a University.

37229 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes. I would make it clear that the

subjects of Native Princes mentioned in Rule IV of the Government of India's Resolution No. 1040-1058 of 19th August 1900, are those whose homes are situated within the territorial limits of the particular province.

37230 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—For reasons mentioned already, I would deprecate the continuance of the principle of class and community distinction. To meet, however, any case of hardship I would, as mentioned in question (51), reserve to Local Governments the power to make appointments by nomination up to one-sixth of the total recruitment required for any year provided the persons nominated possess the minimum educational qualification prescribed in my answer to question (51).

37231 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—The arrangements for training should be of a similar nature to those suggested in my reply to question (34).

37232 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of judicial officers is not sufficient in Berar. For further remarks please see answer to question (60).

37233 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable and, if so, in what direction?—In the Central Provinces and Berar there is a practically complete separation of Civil Judicial functions from Executive and Magisterial functions. Now and then however, an officer of the Executive branch is invested with Civil powers. As urged in my answer to question (11) I would have a complete separation of Judicial functions, Civil and Criminal, from Executive functions. The differentiation of the Judicial and Executive branches advocated in regard to the Indian Civil Service should be extended to the Provincial Civil Service and the subordinate service. The Civil Judicial branch is already separated from the Executive branch. I would take out from the latter branch a number of posts sufficient to supply officers to deal with Magisterial work, and put them in the Judicial branch. Recruitment to the Judicial branch should be from Barristers, Advocates, Pleaders and Graduates in law only.

37234 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I have no objection to the designation.

37235 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed?

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If not, what principle do you recommend?—Subject to what I have said above under questions (51) and (54) and to what I say under question (60), the principle seems to be all right.

37236 (80). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I am of opinion that the existing rates of pay and grading in the Central Provinces and Berar and of the judicial branch of the Provincial Civil Service are unsatisfactory. Munsifs in the Central Provinces and Berar and second-class subordinate judges in Bombay begin on Rs. 150 a month. The men are Graduates in Arts and Graduates in Law, and to give Rs. 150 or Rs. 175 a month to men of education who have to discharge important judicial functions is not fair to them or desirable in the interests of the dignity of the administration and the purity of justice. I consider that the lowest pay for Munsifs, or subordinate judges second class as they are called in Bombay, should be Rs. 200, and they should be included in the Provincial Civil Service wherever they are not included already as in these two provinces. It is only in the Bombay Presidency and in the Central Provinces and Berar that these judicial officers are given Rs. 150 as salary. I also consider that as in Bengal and Bihar the highest posts in the Provincial Service should be of Rs. 1,000. In the intermediate grades some

additions will have to be made to give due scope for the promotion of the larger number of persons beginning on Rs. 200 and for the addition to the cadre in Central Provinces and Berar as suggested under question (56).

37237 (81). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—They should draw three-fourths and not two-thirds.

37238 (83). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest and on what grounds?—Judicial work is far heavier and exhausting than executive work, and I consider that a judicial officer might be allowed to retire on invalid pension at the expiry of 22 years of service or 52 years of age, and on good service pension at the age 55 or after 25 years' service. In the scheme of the separation of judicial and executive functions which I have mentioned as proper and suitable, officers exercising magisterial and civil jurisdictions will all belong to the Judicial Department and the change in superannuation rules here suggested would apply as much to Magistrates as to Civil Judges.

MR. R. N. MUDHOLKAR called and examined.

37239. (Chairman.) You are an Advocate of the Judicial Commissioner's Court of the Central Provinces and Berar?—Yes.

37240. From 1910 to 1912 you were an Additional Member of the Governor General's Council?—Yes.

37241. Do you now occupy any public position?—I am Chairman of the Amraoti Municipal Committee.

37242. You are strongly in favour of a system of simultaneous examination?—Yes.

37243. Open in both cases to all natural-born subjects of His Majesty?—Yes.

37244. You press strongly for equality of treatment as between the two races?—Yes.

37245. In your answer to question (6) you summarise the arguments against simultaneous examinations by saying: "The only argument which deserves serious consideration is about the unimpaired maintenance of the ascendancy of the British principles of Government."—Yes.

37246. Even if simultaneous examinations were established you anticipate that only about 5 or 7 per cent. of the places would be taken by Indians in the coming years?—For some time to come, for five or seven years, there would not be many more than at present.

37247. What particular reason have you for making that estimate?—It is this. The examination is already of a high standard. I have heard it from persons who have appeared at the Civil Service examination in England: after taking high degrees in India, they went to Cambridge.

One went in for Mathematics, and one went in for Science, and they both wanted to go in for Honours. They told me that it required special study on their part to keep up with the classes; and they also told me that the Civil Service examination is at least of as high a standard as the Honours examination of Oxford and Cambridge. It is upon a general estimate of the number of candidates who are successful in these examinations in England that I base my calculation.

37248. Holding that view do not you think that there is some risk that in the event of simultaneous examinations being established dissatisfaction will be caused amongst the Indian community on account of the very small results?—All that we want is that there should be equal opportunities for all. If a high standard is imposed for the examination it rests with the people who desire to get in to bring themselves up to that standard, and if only a small percentage can come in it will only mean that there is a small percentage fit to get into the service. We have no right to complain if, after being tried, we cannot get in in larger numbers. We must raise ourselves to come in in larger numbers.

37249. Apart from the fact as to whether you have no right to complain, and looking at it from a practical point of view, do you not anticipate that if the results are very meagre a demand will arise for a general lowering of the standard of the examination in order to enable more Indians to come in?—I, for one, would not sympathise with a demand of that character; and I do

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not think from reasonable persons that such a demand would come for lowering the standard.

37250. But the world is not made up altogether of reasonable persons. I am asking you whether in your opinion a demand might not arise in that direction?—We have to remember that the high calibre of the Civil Service has to be maintained, and if for maintaining that high calibre the present standard is maintained how can persons whose opinions deserve consideration object? I do not think that there would be any objections from persons whose opinions deserve consideration. If there are persons who say that in order that more Indians might get in in larger numbers it should be lowered, I would have no sympathy with that view, and I do not think that those who wish for simultaneous examination at all wish for the lowering of the standard.

37251. You are aware that in the course of our long enquiry we have had before us several responsible witnesses who take an entirely different view from what you do, and who believe that, with the establishment of simultaneous examinations, and with the facilities for education now to be found in India, in a very few years' time a very large number of Indians will go in for the examination and pass successfully?—My own estimate about that is that the standard is so high, and Englishmen are in no way inferior (in some respects they are superior) to Indians, that there is no reason to apprehend that there will be what is called a swamping of the Service by Indians. There are some people who entertain those apprehensions; but I myself think that there is no ground for that apprehension.

37252. You are desirous, then of seeing a true British tone maintained in the Administration in the future?—Yes.

37253. You also contend that it does not matter much what is the proportion of Indians in the Service, because the Government is British. Putting it shortly, that is your case?—Yes.

37254. Would you not say that if a majority of the superior posts in the Civil Service were occupied by Indians, that would have a very material effect upon the whole tone and influence of Government?—It is for that reason that towards the end of my reply to that question I say that, as a matter of compromise, and to allay all apprehensions on that point, at least 50 per cent. of the cadre should be British; and therefore I have said that excluding the one-sixth which I have suggested should be listed for the Statutory Civil Service, out of the other which is open for competition, only one-third should be open to Indians. That would maintain throughout the whole Civil Service cadre not less than 50 per cent. of Britishers.

37255. Could you tell me shortly how you would in practice restrict the number of Indians under a system of simultaneous examination?—What I would suggest is that simultaneous examinations should be held in India and in England; then all the persons are classified in one list according to the order of marks, and then if only 60 are to be recruited in that year,

and more than 20 Indians come into the list, then the others below 20 will be excluded.

37256. It really comes to this, that, to meet any objection which may be raised to an unguaranteed simultaneous examination, you would approve of a scheme by which a form of simultaneous examination would be introduced which would permit of the filling of only a limited number (you put it at one-third) of the vacancies with Indians?—Yes. I may mention that I believe this would be necessary at the most for about 20 or 25 years. By that time, probably, the unifying process, upon which I set great store, the unification of Indians and Britishers, will be far more advanced, and there will be less apprehension about any results following from the larger admission of Indians, and probably by that time Government themselves would see the desirability of doing away with the restriction.

37257. In your answer to question (3) you discuss the different lines of policy which have been taken by successive Secretaries of State, and you say: "Seven years later at the repeated representations of the East Indian Association, Sir Stafford Northcote instituted nine scholarships, but these were withdrawn by his successor, the Duke of Argyll." Can you tell me how long these scholarships were in existence?—I believe only for one or two years.

37258. Not long enough to show any definite results?—No. I believe the reason assigned was that the Statute of 1870 enabled the Government to appoint Indians without rendering it necessary for them to go over to England for the Civil Service examination.

37259. Would you approve, as an alternative to simultaneous examination, of adding facilities for sending Indians by means of scholarships to the different Universities?—In the absence of simultaneous examinations, as "half a loaf is better than no bread," on that principle I would accept it, provided the number is adequate. That would depend on the number of scholarships.

37260. What would you regard as an adequate number?—I should think not less than 25 a year, because there would be some failures.

37261. That would be five scholarships to each University?—Yes.

37262. You lay great stress on the importance of having the examination conducted by the Civil Service Commissioners?—Yes.

37263. What are your reasons for preferring this agency?—Because they take the interests of what may be called the Civil Services of the Empire as a whole; and for that reason they are very careful in maintaining a high standard, that is the reason. After all, they are an independent body not connected with any Administration.

37264. In your answer to question (8) and again in your answer to question (12) you lay stress on the disability which at present attaches itself to the subjects of Native States in the matter of entry into the Civil Service?—Yes.

37265. Do you mean that the inhabitants of Berar are unable to enter the Civil Service?—As the law is interpreted now by the Legislative Councils, Berar is not considered a part of British India, and Beraris are not considered as

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British subjects. As Berar, so far as tenure and administration is concerned, is entirely under British control, it is only just that Beraris should be placed on a footing of equality with other parts of India administered by the British Government.

37266. You would extend that policy to the Native States generally?—Yes.

37267. You are strongly opposed to any class representation in the Service?—Yes.

37268. Looking at it from a practical point of view, do you think that officers drawn from Provinces many miles away can carry on the administration with the same efficiency and harmony as officers who are more familiar with the people of the Provinces in which they are serving?—I will give your Lordship certain instances. For instance, Sir T. Madhava Rao. He belonged to Southern India. He is known as one of the most capable administrators of these times. He belonged to Tanjore in Southern India. He was Diwan of Travancore. On account of his abilities he was taken by the Maharajah of Indore; and many of the reforms which were introduced into the State of Indore were all the work of Sir T. Madhava Rao. Even now his administration is mentioned with approval by the people. There is another person, Mr. Srinivasa Aiyangar. He belonged to Madras, and was taken by the Gaekwar of Baroda. There are certain matters in which there are differences in different Provinces of India with which administrators have to deal; on the other hand, there is also a great deal of similarity between the different parts of India.

37269. You are speaking of individual cases which I can quite understand, but supposing that under your open system officers happened to come from a particular Province, would you apprehend any difficulties?—As far as my knowledge goes, no difficulties have arisen by the admission of Bengalis to the Civil Service. They are administering in parts of Madras and Bombay, and the Punjab, even, for the matter of that. No such difficulties have arisen, and I do not apprehend any such difficulties in the future.

37270. You plead for separate recruitment for the Judicial and Executive branches of the Administration?—Yes.

37271. What advantages do you see in this?—Law is a very special subject. It requires special study for at least three years. Persons who are recruited for the Executive Branch need not have that special knowledge of law, which it is very necessary that those who enter the Judicial Branch should have. It is, I believe, the experience, also, of members of the Civil Service, and of the Government, that unless a Judicial officer makes a special study of law he does not impress those over whom he exercises authority. He has to carry on the administration with that same confidence which it is desirable to have. I therefore wish that they should specialise from the very beginning, and that those who wish to go in for the Judicial Department should make their selection from the very beginning. Therefore, with regard to them I suggest that they should have one compulsory subject; and that the remaining 4,500 marks should be taken for the other general subjects.

37272. You suggest two definitely distinct examinations?—Yes.

37273. One examination for the Executive, and another for the Judicial?—Yes.

37274. But would you not say that it is important for an Executive officer to have a certain grounding in law?—That is provided for in the present course after the preliminary examination. They have to read Hindu Law, the Law of Evidence, etc.; and they have also to read certain other things during that period of probation, so that if the knowledge provided under the system of 1891 is introduced, namely, that they should attend certain Courts, which gives them special knowledge of the general principles of law, they have fair general knowledge.

37275. Do you agree, generally, with what is known as the Macaulay principle?—Yes.

37276. Do you not think you would be running a risk of violating that principle if you introduced a special examination in law?—I do not think so, because there are only 1,500 marks assigned for this compulsory subject; the other 4,500 marks would be a test of general culture.

37277. Do you think that the experience which a young officer has for three or four years as an Executive officer is of use to him when he joins the Judicial Service?—Yes, I do think so; but that, I believe, can also be secured in the probationary period and in the period of training after he comes to India. After he comes to India he has to pass, according to my scheme, a period of training of at least one year. During that time he may be told to accompany a Deputy Commissioner or a Commissioner on tour for some time.

37278. Do you think he would get as good a training in a year as he now gets in his three or four years' course?—There is one thing I would bring to Your Lordship's notice. According to my scheme I require that persons who select the Judicial line should, during that period of probation which is to be spent in England, be specially called upon to study the Land Revenue system, the law of our Land Tenures, etc.; so that all that can be gathered from books will be acquired by them there. They will also have to study the History of India, which would mean the history of our present administrative methods. They would, therefore, come equipped with a certain amount of knowledge. The further requirements would be more mixing with the people themselves, and that can be managed I believe, though not to perfection, by the method I suggest.

37279. Have you estimated, at all, what would be the cost of your proposal for a complete separation of the functions of officers?—I believe the cost would not be very great, and for this reason, that our Districts would have to be entirely altered. There would be one person whom we shall call the Collector. The Collector is also the District Magistrate. In my scheme the Collector would have nothing to do with criminal work; so that instead of having one man as Collector and Magistrate we would have one man as Collector for the present two districts, and one man as Magistrate for the present two districts. That would only mean altering the boundaries;

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and to some extent, I think, it is likely that the number of officers may have to be increased.

37280. That means the absorption of two districts into one?—Yes.

37281. That may be simple in some Provinces where the districts are small; but would not there be practical difficulties in some Provinces where the Districts are already considered to be almost too large?—We have got pretty large districts in the sub-Province of Berar. At present what they have done is,—not with regard to criminal judicial administration but with regard to Civil Judicial Administration—that there is one District and Sessions Judge for the two large districts of Amraoti and Yeotmal; and one District Judge for the two large districts of Akola and Buldana. There are Additional District Judges working under the District and Sessions Judge in Amraoti. It was found necessary to have two Additional District Judges; but, all the same, there is only one District Judge for those two large Districts. I do not think any difficulty at all has arisen. Formerly the Deputy Commissioner was also the District Judge. All the administrative work of the District and Sessions Judge was done by him. What is done is this. The Deputy Commissioner is relieved of that portion of the Civil Judicial functions, and all that is concentrated in the District and Sessions Judge of those two districts, and no harm at all has come about.

37282. From your reply to question (51) I gather that you have an inherent objection to the introduction of nomination?—I have already stated that a system of pure nomination has, by experience, been found very unsatisfactory.

37283. You propose a form of nomination, do you not?—Yes. It is only as a matter of compromise, because there are certain interests which it might be desirable to keep in view. It is only as a matter of present convenience that I suggest and that to a very small extent.

37284. In your answer to question (60) you say: "I am of opinion that the existing rates of pay and grading in the Central Provinces and Berar and of the Judicial Branch of the Provincial Civil Service are unsatisfactory?"—Yes.

37285. I daresay you have read some of the evidence we have had given us by previous witnesses. Do you give your general approval to the proposals for the improvement of the Service which have been laid before us, both with regard to a time-scale, and so on?—Yes.

37286. Do you consider that officers of the Indian Civil Service and of the Provincial Civil Service are, generally speaking, overworked in this Province?—Yes, they are, especially in the Judicial Department.

37287. You think there is room for more posts?—Yes.

37288. (*Lord Ronaldshay.*) You have told us that you are very strongly opposed upon principle to any system of nomination?—Yes.

37289. And you have told us that you have come to that conclusion because you have seen so much of the unsatisfactory working of the system of nomination in regard to appointments of both Europeans and Indians?—Yes.

37290. Could you tell us a little more definitely what your experience has been of this system?—am prepared to give names, if necessary.

37291. No; I do not want names. What I mean is this. The Indian Civil Service has not been recruited by a system of nomination for the last sixty years, has it?—No. It is not in regard to the Indian Civil Service proper, but in regard to the statutory appointments made under the Rules of 1879.

37292. You are referring to the Statutory Civilians?—Yes; because the question of nomination arises only with regard to that; otherwise, for the Indian Civil Service, as it is called at present, there is no question at all of any nomination: it is pure competition.

37293. Europeans were not appointed to the Statutory Service, were they?—But there were other places for which they were appointed. I am speaking, generally, of the system of nomination. There were also certain provinces where appointments were made in the Executive and Judicial posts by nomination.

37294. As the result of your experience of this system, you have come to the conclusion that it ought to be eliminated as far as possible?—Yes.

37295. And you made just the small exception with regard to the Provincial Civil Service, that you would still like to see one-sixth of the vacant places filled by nomination by the local Governments?—Yes, power should be given, under the limitations pointed out by me, to the local Governments to make nominations if they so choose. It is only to that extent that I would leave scope for the local Governments.

37296. With regard to the Indian student going to England, you say that it is a great disadvantage to an Indian student to have to go to England, and spend a considerable amount of money in undergoing the course of instruction for the competitive examination. The question I should like to ask you is whether you can tell me whether there are a considerable number of Indians going to England now, not in order that they may go in for the competitive examination for the Civil Service, but in order to train for the Bar, and the medical profession, and so on?—There are certain specific instances I had in view. They were men who were above the average. They missed getting in by only a few marks. During the last five years there have been three such cases. They were men who belonged to what might be called the middle classes, whose fathers were getting something like Rs. 400 a month. Part of the money to send them to England was borrowed on loan, and part was given by scholarships. One was a Tata scholar. In that way they went to England. They mainly went for the Civil Service, because they had made some mark here in their Colleges and Universities. One came out, when he failed, as a barrister. He died, unfortunately, afterwards. But he went mainly with the object of going in for the Civil Service.

37297. I must interrupt you for a moment. I do not think you quite understood my question. All I wanted to know from you was really if you can tell us whether there are not a considerable number of Indian students who go to England now not to compete at the competitive examination, but in order to be called to the Bar, and go into the medical profession, and so on?—With regard to them, they generally succeed.

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37298. That is not the question I am asking you. All I want to know is whether you can tell me whether there are considerable numbers of Indian students who are going to England now to train for the Bar and the medical profession, and so on?—Yes, they do go.

37299. There are a good number?—Yes.

37300. About what age do they go?—They generally go at about the age of 20 or 21.

37301. They do not go until they have graduated at a University here?—No, the majority of them do not.

37302. Are there a certain number who go at a considerably younger age?—There are a very few, but there are some; and they are the sons of well-to-do parents who make arrangements for some member of the family to look after them in England. There are some families that I know of in Calcutta who have kept their sons in England at public schools, and so on. Barring these, the majority go after the age of 20.

37303. I really asked you that question because I wanted to know, in the event of the age-limit for the competitive examination being reduced, whether any considerable number of young Indians would go to England at an earlier age than the graduate age out here in order to compete for it?—I fear not. Very few people would be willing to send their children at the earlier age.

37304. You have referred to a Minute by Lord Lytton. I should like to know whether that has been published, and whether a copy can be obtained.—Yes.

37305. I see Lord Lytton says: "Since I am writing confidentially?"—It was published.

37306. It was published in spite of the fact that he was writing confidentially?—I do not know how it came to be published. It was published, and it has been the property of the public for more than five and twenty years.

37307. Then I shall have no difficulty in getting a copy of the Minute?—No, I should think not. It is in one of the blue-books.

37308. With regard to the conclusion at which you arrive as to the number of Indians who might without inconvenience be admitted into the higher ranks of the service, you say that you think at least one-third of the higher posts might, without in any way affecting the efficiency of the Administration, be filled by members of the Indian community?—Yes.

37309. And in support of that you quote a statement made by the Madras Government twenty years ago to the effect that they see no objection to one-third of the higher posts in Madras being held by Natives of India?—Yes.

37310. I want to know whether you can tell us what experience the Madras Government had had at that time of Indians serving in the higher posts?—It is stated that there were very few Indians at that time in Madras, but the Madras Government had a very large experience of Indians who were serving outside the posts held in the Indian Civil Service, and they could very well judge from the materials they had before them in the other Services as to the calibre of Indians.

37311. What services would these be?—They were persons who held charges of sub-divisions and

districts; Deputy Collectors and so on. They were persons who occupied Judicial posts with appellate powers; they were persons who occupied the High Court Benches.

37312. But I understand when the Madras Government made that statement, they had, as a matter of fact, only one Indian who had served for two months as a District Officer, and only one Indian who had served as a District and Sessions Judge. It seems to me, therefore, that the experience was not sufficiently great to enable them to give a very valuable opinion?—As I mentioned, they had under them persons who administered large States. You must remember that some of those persons who administered States in Central India and Gujarat came from Madras.

37313. So you think, therefore, that they were in a position to form an opinion which ought to carry weight?—Yes.

37314. You have taken that proportion as the basis of your scheme for recruitment in the future?—It is not entirely based upon that.

37315. You have taken that one-third as a rough working proportion?—Yes.

37316. Do you really think that the system you suggest would be a practical one? Is not a competitive examination, with a restriction imposed upon the number of vacancies which may be filled by one of two competing classes, really a contradiction in terms?—It is not of my choice. It is what is imposed upon me by the objections raised.

37317. At any rate, this is the scheme which you have suggested for our consideration, and I want to examine you upon it. Let us take a concrete example. Supposing you have to fill sixty vacancies in any one year. Under your scheme you would have the examination held both in England and in India?—Yes.

37318. And under the condition of your examination you would say that forty of these places must be filled by Europeans and that twenty may be filled by Indians?—Yes.

37319. I want to know this. Supposing that as a result of the examination you find the first sixty places filled by thirty Europeans and thirty Indians, what are you going to do then?—As I said, such a contingency is not likely to arise: it is extremely remote, I should say. But, as it is considered desirable to have a minimum number of Europeans I, as a matter of compromise, am prepared to lay aside my logic, and in practical politics you have very often to lay aside logic, and to hit upon a compromise, which cannot stand the stern logic of the logicians.

37320. I can realise that; but, really, if we are to seriously consider your suggested scheme we must examine it as a practical one. You may consider it unlikely, but supposing, as I suggest, thirty Indians and thirty Europeans come out in the first sixty places in the examination, you would then, as I understand, tell ten Indians that they may not reap the rewards of their labours, that they may not get places in the Indian Civil Service, and you would bring up ten Europeans who had been beaten by those Indians and put them into the Service in their places?—That is because it is considered necessary

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to have a minimum of Europeans. What I say is this. The logical thing would be to have a simultaneous examination, pure and simple.

37321. That is not the question I ask you. What I want to know is if that is the procedure which would be followed under your scheme?—Yes.

37322. As a practical man, do you mean to tell me that if that were done you would not have the Congress in this country immediately agitating and saying that it was a monstrous thing that these ten Indians, who had proved that they were superior to the ten Europeans, should have to give way to those ten inferior Europeans?—As we have to put up with the smaller evil for the greater good we have to accept this thing. Otherwise it is difficult to obtain that recognition of the claims of India which we have been told for nearly eighty years she is entitled to have. Lord Lytton himself, in the quotation I have given, stated that the examination in England and the lowering of the age had practically the effect of stultifying the law.

37323. I am not dealing with that question. What we want to do is to get the most practical scheme for giving effect to what you in India call the Statute of 1833 and the Queen's Proclamation of 1858. I am suggesting to you that this scheme of yours is not really a practical one. The specific question I am asking you now is this. With all your experience of public opinion out here, and your knowledge of the Congress and so on, do you not think that if these ten successful Indians were brushed aside in favour of ten unsuccessful Englishmen under your scheme, your Congress out here would immediately create an agitation, and a legitimate agitation, for the abolition of such a system?—As I have said, if it is the only condition upon which we can obtain a fair recognition of our rights, then we would honourably stick to the compromise. It is as a compromise that I have put this thing forward, and I would honourably stick to it. We would say: "We have agreed to take only one-third out of the places open to competition, and therefore we must abide by it."

37324. But do you not think that if that condition were laid down there might be some other system of recruitment which would be less open to the objections which I have suggested than the scheme propounded by you?—I cannot give an opinion upon that until I know what that other scheme is.

37325. I notice in your Presidential Address to Congress you say, as far as you Indians were concerned your case was simple, "equal laws for all, equality of opportunities for all, and favour to none will always be our platform." It seems to me that under your scheme you would be showing a good deal of favour to the ten unsuccessful Europeans; and if you held the views which you expressed when you were addressing the Congress, I am afraid you would soon ask for the revocation of such a system?—I have not stated at the end of my reply to question (6) that I accept it as a matter of compromise? It is to allay the apprehensions of those who think the Service will be swamped by Indians. I say in that case, let us have this much, and we will abide by it.

37326. I am not clear about the proposal for the revival of the Statutory system. I understand that in addition to a system of simultaneous examinations you would like to set aside one-sixth of the superior posts at present filled by members of the Indian Civil Service for a new Service of Statutory Civilians?—It is not exactly like that. Out of these, 103 are even now listed as open to the members of the Provincial Civil Service. I wish that that number should be raised to one-sixth, which was intended to be worked up to during the course of an official generation. That was laid down by the Rules of 1879—that during a period of one official generation, twenty years, the number should be one-sixth of the scheduled appointments. There are only, now, 103 posts open to the Provincial Civil Service. I say according to the spirit and intention of the Statute, and rules thereunder, one-sixth should be open for an appointment in India, and out of them, a certain proportion, I say, should be appointed by competitive examination, and the others be given as prize appointments to members of the Provincial Civil Service.

37327. Is this system of recruitment to this Statutory Civil Service to be in addition to the system of simultaneous examination?—Yes, it will be.

37328. If you have a simultaneous examination, on what ground do you also wish to have a separate Statutory Civil Service?—The Statute was passed in 1870 with full knowledge of what had gone before. There was the Act of 1801 which laid down that all posts for the Civil Service (they are all given in the schedule) shall be filled only by a competitive Civil Service examination, under the rules to be framed. They could not say that those rules might not be altered. It was quite possible that the rules might be altered by Government; and with full knowledge of that Parliament still passed the Act of 1870, in order that there might be appointments of Indians of proved merit and ability in India itself.

37329. Was not that with the knowledge that there was no system of simultaneous examination in contemplation at that time? Let me put my point quite clearly. I understand your great demand is for equality?—Yes.

37330. You want a fair field for everybody. You do not want any special door of entrance into any of these higher Services. That being so, the question I ask is this. Why, if you have a system of simultaneous examination, which gives you your system of equality, as you call it, do you want to have, in addition to that, a Statutory Service recruited in India?—Because I have made a concession in this matter of compromise by saying that only one-third of the places recruited in any one year shall be open to Indians. In view of that I am not willing that the power given to the Government of India, the rights which the Indians acquired under the Statute of 1870, should be taken away.

37331. Then the Statutory Service is to be a make-weight against the limitation of the number of Indians who may get in?—I say 50 per cent. of the scheduled appointments would be held by Europeans, and that 50 per cent. would be for

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Indians. I mean to say that there is to be a real partnership between the two. I may mention one thing. My term "Indians" includes the Statutory Natives of India, the members of the domiciled community, and Europeans resident in India.

37332. (*Sir Theodore Morison.*) Would you, as President of the Congress, tell me what would be the opinion of the Congress generally upon this proposal which you have adopted as a compromise if you introduced a limitation on the number of Indians? Would they consider it a violation of the Charter and the Act of 1833?—As a matter of compromise I believe the majority of them would accept it if the scheme was adopted.

37333. You would have, would you not, to revoke, or modify, that Act of Parliament?—I do not suppose that there is any modification of the Act necessary for that.

37334. Does it not impose a limitation upon persons of a particular race, creed or colour?—That is only done by regulation under the Act. We are not prohibited. There is no bar imposed upon us with regard to the appointment of any particular post. The Act of 1833 only laid down the eligibility of Indians to all appointments.

37335. I am only talking about the Act of 1833, because that point was impressed upon us by some gentlemen who also held prominent positions in the Congress. I want to know whether the Congress opinion on this matter is uniform. Some people said that it would be a violation of the Act of 1833 to impose any limitation?—If it is said that Indians are not eligible for these appointments, then it would be a violation.

37336. I only want the opinion of the Congress; not the interpretation of the Act. I want to know how you think the party would take such a thing?—The opinions I have just expressed were also discussed with persons belonging to the Congress, and the gentlemen with whom I have discussed this all agreed with me. Of course I cannot speak for the whole country. I had not time to take their views.

37337. I understand you propose simultaneous examinations upon the ground that the time has long come when Indians should be more associated in the higher work of the Administration than at present. That is your fundamental principle, is it not?—Yes.

37338. After your answers to Lord Ronaldshay, does that seem to you the most satisfactory way of obtaining that end? You recognised, in speaking to him, that in some exceptional years some Indians who have passed high might be prevented from entering the Service; while in other years it will happen that a small number of Indians, less than 20, are successful. So that in certain years when Indians are very successful they would be swept out and there would be no compensation in other years. It would be, heads I win, tails you lose?—Yes, it would be like that.

37339. Supposing this percentage you have suggested were accepted for the separate examination, you would have a level number recruited every year, would you not?—Yes.

37340. You say: "The time has come when Indians should be more associated in the higher work of administration." If that is the basal principle with you, it seems to me that it is more effectively secured by a separate examination than by a nominal simultaneous examination?—It might be considered as an inferior Service, it might be considered as an inferior examination, and it would be said that as Indians were recruited by the separate examination they should not be eligible for these higher appointments. It is that which has to be avoided.

37341. But do you not say somewhere later in your answers that you would hope the Statutory Civilians would be treated as brothers and become members of the Service?—Yes; it was a hope.

37342. But it is a hope which you still entertain I understand?—At present it is not.

37343. But you make proposals which are based upon that hope?—Yes.

37344. Surely they come in by a very different door, do they not?—And therefore their pay is lower. They would be getting only three-fourths under my scheme.

37345. Do you hope for equality in the case of persons who come in by a different system and get lower pay? Surely it is conceivable that if persons come in by examination they should receive the same pay?—With regard to Statutory Civilians, I believe they are practically told that they are not fit for the office of a Commissioner.

37346. I have a difficulty with regard to your proposal on the educational side. It seems to me that the English and Indian systems of education are fundamentally different, especially on the Arts side. How do you propose to get one examination which would equally reflect both systems unless you have a large series of options? Would you have options?—The option of the present choice of subjects appears to me to be quite suitable.

37347. But that is, as you know, based upon the English system of education. We have had a good deal of evidence already to show that it is unfair to the Indian system of education, and we have been urged to recommend changes which would make it fairer and more representative of the Indian system of education, such as the introduction of Persian, with higher marks for Arabic and Sanskrit, and the introduction of Indian History. Do you approve of those?—I have already referred to Arabic and Sanskrit. Both of them are very difficult languages, and they can well be compared with Greek and Latin. With regard to them you would find the same high standard of intellectual attainment is necessary for a mastery of them. I cannot speak about Persian, because I have heard different opinions about Persian, and I am no Persian scholar myself. What I would say is that we should have an examination in which the intellectual calibre of a person, and also his grasp of different subjects, should be tested.

37348. I understood you to say to the Chairman that you accepted the Macaulay principle?—Yes.

37349. You do not require special preparation for it. You take the existing educational system of the country, and you take its best

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products?—I do not know that our University system is so entirely different from the English system. I am a product of our Universities, and I believe we are only trying to walk in the footsteps of our leaders and our guides. I was brought up under English Professors who gave us the best education that could be had in those times. I had the good fortune of being under very exceptionally good men, Professor Wordsworth, and those people.

37350. I am not only the product of the English system, but I have taken part in the Indian system for some time. Surely the basis of education given here is English, is it not, English Literature?—Yes.

37351. That is not taught in England. We have an educational system, but English does not figure in the English educational system, except in a very small number of exceptional cases?—I have seen the curriculum, and I have seen Shakespeare and Chaucer and Spenser put in the curriculum of the examination. I can only speak with the knowledge I have got.

37352. Every variety of education may be found in England; but in my own case (and it is the same in the great majority of cases) I do not think I ever had in the whole of my school or University career any teaching in any English subject, or on any book of English Literature; I may have had to do something as a holiday task, but not always?—The beginning must have been in English. You must have been taught to write English; you may have had to read some English books; and afterwards those who go in for English Literature must have had to study all the different English classics.

37353. English Literature is my point. English Literature is a very important subject of education here, and it is hardly represented at all in the English educational system. The teaching of the Mother Tongue, as it is called in Germany, does not exist in England, or to only a very small extent?—I have seen the curriculum of the examination; and English Literature from the time of Chaucer to Shakespeare figures in the examinations. Even for the Civil Service it is prescribed, is it not?

37354. You may take it, as a matter of fact, that it holds a small part in English education, that it constitutes a small part of the Arts side. Are you prepared to alter the Indian educational system, or would you not do better to have an examination which was a reflection of the education which is given in the Indian colleges and the Indian Universities?—I am a great believer in Western culture.

37355. As it is given at the present moment in the College, for instance, which you attended?—More of it even, if possible. I would not in any way lessen the amount of knowledge which is required of English Literature and English History. I am confining myself to Literature.

37356. My point is that that is a particular characteristic of Indian Universities and not of the English Universities. It sounds a paradox, but it is a fact. In answer to question (33) you say you are against a separate institution on the ground of expense?—That is a college in India after they come out to India?

37357. A separate institution in England?—I would prefer their being asked to attend one of the older Universities, either Oxford or Cambridge.

37358. Would you give them allowances during the time they are at the Universities?—They do get £150 a year.

37359. Some people have asked that it should be raised to £200?—That is a matter of detail.

37360. You would continue that?—Yes, I would continue that.

37361. For what length of time?—I have laid down a minimum period. I think two years ought to suffice.

37362. Two years at £200 for fifty people would mean £20,000?—It is the same thing at present.

37363. Do you not think, on account of public expenditure, that it is rather a large sum to spend upon their general education?—First of all this is what has to be done at present. I do not think there is any special expenditure involved therein; no new expenditure. At present after the preliminary examination all probationers get £150 a year.

37364. But that is to train them for their profession, and not to give them general education?—Formerly the period was two years; now it is only one year. There was a time, not so very long ago, when it was two years.

37365. The point I want to get from you is whether you think this large expenditure of public money is justifiable for completing their general education, or whether it is only justifiable when it is part of their professional training?—It would be only with regard to that. Residence at a University would be rendered necessary only in the case of those who passed the examination in India. I might say that the number, roughly speaking, would be about fifteen.

37366. You are only speaking of those?—Yes.

37367. (Mr. Madge.) You are prepared to tolerate the present competitive system, because, although not ideal, it does serve some purpose?—Yes.

37368. Does it serve the purpose of testing character?—Yes, undoubtedly it does.

37369. You have come to the conclusion that there is a large number of incompetents who invariably get in under a system of nomination, and you nevertheless are willing to tolerate nomination in some corners because you think that British reform generally goes by compromise, and is often illogical. Personally, I do not know of any such compromise that is illogical; but you are prepared to go beyond the border of what is illogical into what is actually immoral?—You must take my evidence as a whole. After all, what scope is left there for nomination? And even that nomination is hedged round with restrictions.

37370. I have heard the whole of your statement, and I have paid close attention to it, and it need not be repeated. I can understand your position. I ask you whether you are prepared to accept a compromise even though it is considered immoral?—I do not admit that premise.

37371. You do not admit it is immoral to set aside men who have passed above others and

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accept them as inferiors on certain grounds?—It is not immoral. There is no question of morality here. I do not admit your premise. That is what I said. My scheme does not involve any such departure from morality as your question presupposes.

37372. That is your opinion? Very well. I agree with you that the middle classes of any country are the foundation of it practically. Do you think that the young men who go up for Matriculation in the hope of going on further belong generally to the middle classes?—The majority of them do.

37373. A fair representation of the middle classes?—Yes.

37374. Have you heard of the case some eight or nine years ago (I can give you the exact date if necessary) when the vast majority of the Entrance Examination candidates failed, and a petition was sent up to the University to make some allowance for those who had failed, not on the ground that the standard was too high, but because of the disappointment of those who failed? Have you heard of that?—No. If it was so I would not have any sympathy with that kind of thing.

37375. Nevertheless it represents the mental attitude of a very large class?—You cannot help those who would always like to have crutches. I am no believer in them.

37376. You refer to Proclamations and other public declarations in which it was declared that a man's race should form no bar to his appointment to any office, and you appear to think from your answers that this word of promise was kept to the ear, but broken to the hope?—That is what Lord Lytton says.

37377. I want to know what you think?—I also think so.

37378. Do you think that the removal of the racial bar in that case meant that any man of any race was entitled to any position no matter what his qualifications were?—I never said that.

37379. You do not think that?—I say that provided he is fit his race ought not to come in his way.

37380. Then you must take the ground that those who think that they and others have been disappointed in not getting particular offices have done so because these proclamations and declarations have been deliberately set aside by some authority?—Yes, they have been.

37381. You think so?—Yes.

37382. Deliberately with *malice prepense*?—That is what the Governor-General said. Immediately the Act was passed the Government set about to render it nugative. That is what Lord Lytton says.

37383. What one man has said is not binding upon all sober-minded statesmen. I do not think the majority of English statesmen think so?—That was also stated in the debate as given in Hausard in 1853.

37384. Amongst the reasons which Government give as quoted by you in answer to question (6) for not having simultaneous examination is that "probation by actual employment forms a competitive examination of the best kind." You

do not agree with the Government?—No. It has been found not to be so.

37385. And yet many responsible higher officials have thought seriously of promoting men from the Provincial Civil Service to higher appointments on the specific ground that this kind of competitive examination has proved very successful?—Both can be true. What the Government has done is right in the case of those tried men of the Provincial Civil Service; and the unfortunate selections made of young men from high families who were not fit for those posts, and who afterwards had to be asked to resign, or whose services were dispensed with, exemplify the wrong use of nomination.

37386. I am not taking the case of incompetents. I am taking the fact that the probation by actual employment forms a competitive examination of the best kind in the opinion of the Government; and you do not agree with that at all?—That is not the sole test.

37387. I did not say it was the sole test; but until a better is found it may be a good practical one?—We have to see about the first appointments. How are you to make first appointments? What is the method which should guide Government in making first appointments? Promotion of those already in the Service, that may be all right; but how are first appointments to be made unless by finding out qualifications? What other method is there for finding out qualifications?

37388. In answer to question (3) you refer to brilliant youths being kept out of the Service. I have asked many witnesses if they could devise any system but the existing ones for capturing early in life really brilliant Indians. I quite agree with you that there have been many such. You have named such, and I have had them all in mind in asking this very question. Can you think of any system for capturing for the service of Government early in life a class of men who subsequently prove their brilliance, but unfortunately do not show it early in life? Can you think out any system by which we can get hold of them?—After all, this appears to me to be the only suitable method; competitive examination of some kind or another of high standard is all that is open to us.

37389. Simultaneous examination in India you mean?—I am speaking, first of all, of the competitive test.

37390. Because that has existed and as yet has not captured these men. They have not been poor men, and have had sufficient means to go to England?—A man might have the means of going, but he might not have the inclination to study. That is the unfortunate result of possessing too much money.

37391. How would you propose to affect the inclinations of these brilliant men?—They belong to classes who have to work with their hands and with their brains.

37392. With reference to the tone of the Government, you have said that it is not the English tone, but the European tone which is wanted. I have asked many witnesses, without making any offensive comparison between races, whether the English race, as judged by the Political

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History of their Colonies and Settlements, has not shown certain practical qualities, which, compared with Frenchmen, Dutchmen, Italians and others, show them better colonists and better administrators than other European races. Do you agree with that?—I do agree with it. But I point out that what the Government requires is, not the presence of Britishers, but the presence of Europeans. I said that that is rather inconsistent. They would tolerate Frenchmen, and Dutchmen, and they would also tolerate Afrikanders. It is not the presence of Englishmen that they insist upon. That appears to be the weakness in the Government case.

37393. You have not understood my question. It is on behalf of the British race that I claim certain qualities that no other European country possesses?—I agree with you there. The British race possesses qualifications which hardly any other European race possesses. I do agree with you there.

37394. And yet you think that nationality is of no consequence at all in the matter of Government?—Government itself does not insist upon the presence only of Englishmen or Britishers.

37395. Do you think that Government lays its competitive examination open to all European countries?—What do they ask? Government do not say that the admission should only be confined to members of the British Isles. The condition they lay down is that a man must belong to one of the European races. That appears to me to be not consistent with the argument about the high character which Britishers possess. Because a person is of European extraction it does not follow that he possesses the qualities of the British race.

37396. You do not think it is generally taken that the word "European" was meant in contrast with "Asiatic"?—That it was not restricted to Britishers.

37397. You do not think it is not intended to be so restricted?—No.

37398. At any rate, this opinion of yours is not held by most people. Most people do believe that the competitive system was intended for Englishmen originally, and afterwards applied to Indians. In spite of this crowd of witnesses your mental attitude towards them, no matter what they think, is the attitude of the Fitz-James:

"Come one, come all! this rock shall fly
From its firm base as soon as I."

You stick to that opinion, no matter what others think?—Yes. Whatever you might think.

37399. As regards the Statutory Service, do you think that the system was radically bad, or that the selections of it were unfortunate?—The selections were unfortunate. If there are no educational guarantees imposed by the rules the result was one which might be predicted. It was, in fact, predicted by the Indian papers, that the result would be that the selections would be bad, and then the whole character of Indians would be affected thereby.

37400. But we have heard of cases in which the selections were very fortunate?—Yes; but you have to see, also, how many proved unfortunate.

37401. You do not think that that might have been owing to the mistake of the selections, and

not to the system itself?—No, though some were excellent selections.

37402. If you do not think that it matters much what the nationality of the official is in India; why do you say in answer to question (19): "I do think it necessary that half the posts reserved for the Covenanted Civil Service should be held by European British subjects"?—For the reasons given above. Because it would be considered desirable to remove all apprehensions of the British tone of the administration being affected. I have agreed to this compromise. Therefore, I say, we must have them.

37403. (Mr. Fisher.) Lord Ronaldshay has put before us a practical objection to the working of simultaneous examination, and I think from your answers that you realise that there was this practical difficulty in the way. I should like to ask you to consider for a moment a possible alternative which might get rid of that practical difficulty. Let us suppose that you had in India a supplementary examination conducted by the Civil Service Commissioners in London, the papers set in London, examined in London, and adjusted to the conditions of the education in India, the standard to be as high as the standard of the examination in England, but the successful competitors to be published in a separate list. Would you approve of any such scheme as that?—I would first of all object to "adjust it to the conditions of India." It is a thing I would greatly deprecate for the reason that we wish to be judged and tried by the same standard which is laid down for Englishmen, no lower standard, no favour at all; but the same high standard.

37404. I was assuming that the standard would be equally high, but that the number of subjects would be adjusted to Indian conditions. There would be, for instance, a stiff examination in all the subjects which were mainly taught in the Indian colleges, and, as I say, the examination would be conducted by the Civil Service Commissioners in England. Such a scheme as that, of course, would get rid of the particular difficulty to which Lord Ronaldshay and Sir Theodore Morison adverted, and which you fully recognise?—Yes.

37405. But I should like to know whether such a scheme as that would be acceptable?—That would depend upon two things. First of all, the proportion for which the Indian examination will be held would have to be a substantial one, not less than 33 per cent. which I have mentioned. That is one thing. Secondly, the pay, the rank, the prospects of promotion, leave allowances, pensions, and so on, and all the future scope, should be exactly on a par. If it is said that the persons who are selected in India will occupy the same position as those who are recruited in England, then, in the absence of the simultaneous examination system I would accept it, with this further rider, that those who are selected in India are sent for at least two years to reside at an English University.

37406. There is another point about which I should like your opinion. You have stated in your evidence that you are very much impressed with the high type of the administrator who is secured for India under the present system?—Yes.

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37407. But that you find (I am giving my own words) that while he stands very high in character and general attainments he falls short in certain special branches of knowledge, in particular, in his knowledge of the vernacular and in his knowledge of law?—Yes.

37408. This view which you have put before us has also been put before us by several distinguished witnesses from the English side; and it has been suggested to us from more than one quarter that one of the best means of remedying it would be to put the competitive examination back to the school-leaving age, and then to pass the successful competitors through a somewhat elaborate special course at the Universities, occupying two, or, perhaps, three years, in which law and the vernacular might be thoroughly studied. If that scheme were carried out, and if the English boys were examined at nineteen, would you still be in favour of a scheme of simultaneous examination?—I mean to say that the lowering of the age would prove very injurious to Indians. It would mean, practically, the shutting out of Indians far more effectively than at present. If the age-limit is lowered, it would be reduced to the condition of which Lord Lytton wrote in 1878.

37409. My question is this. If this recommendation were accepted would you still advocate the scheme of simultaneous examination?—Simultaneous examination is for obtaining entry for Indians into the Civil Service. I wish to know what is to be done about Indians.

37410. Exactly. In other words, you only advocate simultaneous examinations in order to secure a larger employment of Indians in the higher service?—Yes.

37411. And if the age-limit were put back to a time of life in which simultaneous examination did not effect that object, you would abandon simultaneous examination, and look about for some other means of satisfying your general object?—Our objection to the lowering of age is from the English administrator's point of view, and also from the Indian administrator's point of view.

37412. I will come to that afterwards. Assuming that this course to which you object is recommended, in what way would you advise us to compensate the Indians for the undoubted further disabilities which would be imposed?—In that case I would say that the standard of age for Indians should be different. If you want to catch the English boy at the age of nineteen, you would be only catching schoolboys. You want, however, to recruit very young men. I believe the age of nineteen was found unsuitable, and it was on that account that the Commission of 1886 recommended that the age-limit should be raised to the present age-limit. We are actually asked to go back upon this thing. This lowering of the age-limit is not a desirable thing.

37413. I wish to get your views upon that at a later stage. What I want to ask you is what would be the best course for compensating the Indian for the disability?—In that case I would have the present age-limit maintained for Indians.

37414. You would send them in for the Home Civil Service examination?—And also for the simultaneous examination. I presume that the lowering of the age of English boys would not

in any way affect the holding of an examination simultaneously in India.

37415. It would not make simultaneous examination impossible, but I should have thought it would have made it inadvisable from your point of view, because I understand that an Indian boy competing against an English boy at the age of nineteen would have very little chance of success?—I said we must therefore have a maintenance of the present age-limit so far as Indians are concerned, and also the simultaneous examination.

37416. Do you mean to suggest that young Indians of twenty-four should compete in a school-boys' examination with English boys of nineteen?—I said it is undesirable even from the Englishman's point of view. It is undesirable to have the Service constituted for the educational attainments of a boy of nineteen. I began by saying that I object to the whole thing. It is undesirable in the case of English youths themselves.

37417. You realise that the object of this proposed change is that which you yourself have in view? That is to say, the object of giving the young Indian Civilian a greater knowledge of India, Indian affairs, Indian law and Indian languages before he comes out?—Yes.

37418. Assuming that the case for that change is considered strong, I would ask you what is to be done—in what way can you give a legitimate and proper effect to your desire for the greater employment of Indians?—Let me understand the matter clearly. It is for the purpose of giving a better knowledge of Indian languages that this change is advocated. My scheme contemplates a period of two years' probation; and during that period, such knowledge of law as is required by an ordinary Executive officer can be obtained very easily. I have heard from gentlemen who are now in the Indian Civil Service that, after competitive examination, the manner in which the period of probation is passed is practically that they rest on their oars; they have had to pass through a strenuous time and after that they take it very easily for the final examination. I have no personal experience of it. That is what I have heard from gentlemen, who have passed the examination. As regards the period of probation, I have sketched out the way in which that period is to be spent. Such knowledge of general law as is required by an Executive officer, and such knowledge of Indian languages imparted in a school with good teachers, as is desirable for an officer to have, whether that could not be secured even before they come to India is the point. For that purpose no lowering of the age is at all necessary.

37419. (Mr. Sg.) In connection with the recommendation that you make for simultaneous examinations, I should like you to explain to us clearly what are the disabilities under which Indians labour at the present time. From your evidence I find that the one which you place in the fore-front is the question of expense?—Yes.

37420. So far as the question of the expense is concerned, does it resolve itself down to a second-class passage to England plus about a month's residence in England?—No; I do not think so. The candidate should acquire the higher knowledge that is required for the higher examination

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and it is found that that knowledge can best be derived in institutions in England.

37421. If simultaneous examinations are granted, it would not affect that question?—In that case, it would not. I thought that you asked me about one of the reasons for my insisting upon simultaneous examinations, and why it was necessary to keep the boy for at least a period of two years in England.

37422. If the simultaneous examinations are conceded, that necessity will still remain, unless you have institutions in India capable of teaching up to that standard?—Such institutions are bound to spring up. First of all, the standard of the Universities would be raised. There would be none who would work more for that than the Indian members of the senate; for the raising of the standard of the Universities, and also for obtaining a higher sort or a better class of professors. Further educational institutions where the system of giving the necessary high instruction will be adopted will spring up, in a place like Calcutta or Bombay; and keeping a boy at one of these institutions will not involve such a great pecuniary sacrifice as is involved in keeping him in England.

37423. You believe that the grant of simultaneous examinations will have a substantial effect upon the standard of education in India?—Yes; it will have.

37424. You do not agree with several of the witnesses, educational witnesses, who have come before us and told us that the grant of simultaneous examinations would have a deleterious effect upon the progress or character of Indian education?—With the greatest respect for them, I cannot agree with them.

37425. You contemplate that it may lead to the establishment of special institutions in India, giving specialised training for these examinations?—Yes. What I mean is this. For instance, let us take the case of science. In regard to science the kind of instruction that is given at present is not of a very high character, both in regard to theory and in regard to practice. What would happen would probably be that some of our science colleges would themselves raise their standard; they would get better professors and they would insist upon greater time being spent by the students in the laboratory. It is also possible that special institutions might come into existence. People might give it the name of the cramming system. There is cramming which is undesirable and there is also what is called cramming, but which is very necessary for everybody who does not wish to be a mere smatterer in any subject. It is in those kinds of establishments that students are really taught and real education is given. Those kinds of establishments are sure to spring up. That is what I anticipate.

37426. After they pass the simultaneous examination, you propose that they should go to England for two years?—Yes.

37427. Do you really believe that two years' residence in England by an Indian student after he has passed his open competitive examination, when a great deal of his incentive to further study is removed from him, would really give him British character and Western forms of learn-

ing, of which you yourself have been such a strong advocate?—That is what I think. But that would depend upon the nature of the final examination. If the final examination is a mere nominal examination, as I am told at present it is, he would only be spending his time in taking rest as most of them, as I am told, do at present; but if it is a real examination and his position depends upon the adding of the marks of the two examinations, then he would be spending his time usefully. You have, as I said, to put him in one of the Universities, and one of the conditions would be that he spends his time in that University to some useful purpose.

37428. But still you think two years would suffice?—Two years would certainly give him far greater insight into English social life, political life and all the environments under which Englishmen are brought up than a mere residence in India itself.

37429. Then again you refer to the point on page 249, in reply to question (6) of your evidence about the European being what is required and not the Britisher. Surely the regulations for the examination contain a provision specifically that the candidate must be a natural-born subject of His Majesty?—Yes. I do not suppose that an Afrikaner has the British tone in him. I am sorry to say that, but I am obliged to be specific.

37430. You refer in your answer to the entry of Frenchmen, Germans, and Dutch?—Are not most of the Afrikaners of Dutch extraction?

37431. Residents of South Africa you mean?—Yes.

37432. You refer to Colonies?—It would also mean persons of French extraction—who might go and reside and become naturalised subjects of French extraction. Would they have British traditions?

37433. They would be natural-born?—The sons would be natural-born, but not parents.

37434. They would have more than the two years' stay which is all that is proposed for the Indians?—But they would not have the Englishman's history and traditions behind them.

37435. In reply to question (21) you have given some statistics which I cannot quite follow and which I should like you to explain to us. There you refer to the fact that 103 posts have been listed out of 1,444. I cannot make out where you obtained those figures?—I shall give you the authority. If you turn to the *Central Provinces Gazette*, dated the 11th January 1913, page 109, you will find that the actual strength of the Indian Civil Service cadre comes to 1,386—that is the total number at present employed in the Indian Civil Service. Then there are 56 men of the Provincial Service, who have to be included. That gives you a total of 1,444, including Military Civilians.

37436. Yes, but in making the comparison you simply compare in the one case the number of posts and in the other the total number of civilians?—There is only one decimal something of military officers, as against 54 civilians.

37437. One hundred and three is only the number of posts?—Yes, listed as open to members of the Provincial Civil Service.

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37438. The number of posts in the Indian Civil Service is very short of the total number of officers. The comparison is vitiated by the fact that you have taken two different items?—No, excuse me. The total number of places open to the Indian Civil Service are 1,300 and odd.

37439. The total number of posts?—Yes.

37440. Excuse me; the total number of officers is about 1,300 including those in the reserve for training and for leave?—The total number of officers who have to be maintained for the Indian Civil Service—the total number of superior posts, excluding the posts open to the Provincial Service men is 664. That is the superior service, with salaries above Rs. 1,000.

37441. Then your comparison is not with 1,444 but with 664?—My comparison of 1,444 is with 103 which includes all posts and not superior ones only. As to superior posts there are only 56 posts available for the men of Provincial Service—listed and possible posts.

37442. As a matter of fact, there are 959 posts in the Indian Civil Service and not 1,400?—What is actually considered, and it is this. I mean to say that you have to keep so many persons in the Service.

37443. You neglected to take into consideration on the one side the officers employed on leave and training, whereas you have taken them into account in the other?—These are the only places available to Provincial and Statutory Services. I am showing that there are only 103 posts open; there are not 103 appointed as a matter of fact.

37444. As compared with 959 in the Indian Civil Service?—As a matter of fact, it is necessary for you to keep 276 more for leave reserve. There are many more persons actually employed than 959. As I have said my number is 1,341 which includes this number of reserves.

37445. For 103 posts you have to keep a number for leave, training and reserve, which is the same?—They are never 103, and no reserves.

37446. Haven't you neglected to consider that the Public Service Commission excluded Burma altogether from their calculation?—At that time the Public Service Commission recommended 108, I think, and their recommendations were cut down by the Government of India to, I believe, 98.

37447. Ninety-three?—Yes. And the Secretary of State still further cut it down. So later on some additions were made on account of Burma and some were added for the Government of India appointments.

37448. As to the one-sixth that was recommended, the Public Service Commission excluded Burma?—At that time Burma was not made a part of the Indian Empire.

37449. Did it not also exclude posts under the Government of India? Is there any question of one-sixth there?—They only said that they recommended that only certain posts should be available for men of the Provincial Service.

37450. The point that I wish to suggest is that the one-sixth you refer to is not one-sixth of the whole of the posts as you suggest, but there are certain deductions which have to be made before you make the calculation?—That rather emphasises

my point, if I have understood your question rightly. Under the Statutory rules, one-sixth should have been given.

37451. We are not discussing the Statutory rules, but we are discussing the recommendations of the Public Service Commission?—You are referring to a certain portion of my evidence and in regard to that portion I wish to point out that, whereas under the Statutory rules, we were entitled to have one-sixth proportion of places, to be given to Indians, as a matter of fact, the result of the Public Service Commission's report was that only 103 posts are to-day left open for the Indians; whereas even if you take the number of 900 and odd, the proportion works out to something like 160 roughly speaking.

37452. I only wanted to get correct statistics from you. Let us refer to another point. You propose a revival of the Statutory service,—that one-sixth should be reserved for that service of which you have suggested that three-fourths should be filled by competition and one-fourth by nomination?—Yes.

37453. At the same time you bring into that service certain officers promoted from the Provincial Service under what is termed the system of listed posts?—Yes.

37454. You propose that two-thirds of the higher posts should be filled up by the Statutory service of which three-fourths will have to be filled by competition and one-fourth by nomination and also you will have one-third to be filled from the Provincial Service?—Yes.

37455. One-third of one-sixth comes to one-eighteenth?—Yes, one-eighteenth.

37456. One-eighteenth of the present number of posts is substantially less than what the Provincial Civil Service has got at the present time?—If I have understood the figures given by the Government of India correctly, it would be one-eighteenth of 720. The total of superior posts is 664 plus 56, i.e., 720.

37457. You are dealing with the whole of India?—I am thinking of the superior posts, one-sixth of which should be reserved for the Statutory Service. The number is 664 and you must include the number 56. That gives you 720; and the total number of superior posts above Rs. 1,000 is 720.

37458. You wish to list the "inferior" as superior?—The number of posts in Presidencies and Provinces on a salary of above Rs. 1,000 a month is 662. Deduct from that the number of posts open to the Provincial Service, namely, 56, and add to it the number of posts under the Government of India and you get 664. Add again 56 and you get 720. That is, the total number of places in the Indian Civil Service cadre above Rs. 1,000 is 720. Out of that one-sixth ought to be given to the Statutory Service, that is to say for appointment in India. That number is 120.

37459. Your scheme gives seven listed posts for the whole of India?—No. How did you make 120.

37460. I did not calculate, but you made it 120?—My calculation is not wrong. Out of 120, two-thirds is reserved for the members recruited for the Statutory Service proper. That is, one-third

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or forty is what is open to the members of the Provincial Service.

37401. What is the number of posts listed at present?—56 for the Statutory and Provincial Services combined.

37402. 93 are actually listed?—I am going only by the Gazette. It is 56.

37403. Listed posts?—Superior posts.

37404. According to that standard it reduces the number of superior posts from 56 to 40?—You omit this thing from your consideration. There are other 80 posts, all of which are open to Indians and are now available for appointment in India. The whole thing has to be taken into consideration. At present they are not given to them. And again other persons who do not belong to the Provincial Service are taken. That has to be taken into consideration. There are also the Statutory Civil Service men. On the whole, the Provincial Service people would be distinctly benefited under the new arrangement.

37405. You think they will be benefited?—Yes.

37406. (Mr. Macdonald.) I would like to ask you a question or two. In your answer to question (4) with regard to the combination of the open competitive examination for the Home and the Indian Civil Services, you have given three reasons why the combination should continue. The first is that it secures a high standard examination. Do you remember when the examinations were separate—when the Home Service had one set of papers and the Indian Civil Service had another set of papers?—I did not study that.

37407. I was going to ask you, if you have, whether you were under the impression that the Indian Civil Service Examination was substantially lower than the Home Civil Service Examination?—As I have told you, I have not looked into the question.

37408. Supposing you separate them, what makes you come to the conclusion that the Home Civil Service would have a higher standard of education than the Indian Civil Service?—Because Englishmen would like to keep officers as efficient as possible.

37409. Have not we got the same object here to keep our officers as efficient as possible in India?—You would be having better guarantees of efficiency there.

37470. As a matter of fact, when there were separate examinations, was it not the reputation of the Indian Civil Service Examination that it was the stiffest examination that was set to get into public services?—What I heard was that both the examinations were very stiff. I have told you that I have not looked into the matter.

37471. Then you say "it minimises the chances of capricious or one-sided regulations inspired by powerful class interests." You know the Statute of 1858?—Yes.

37472. Under that Statute the Secretary of State must co-operate with the Civil Service Commissioners in setting these papers?—Yes.

37473. Do you think that you run any risk?—I eliminate all chances of risk. That is the reason why I stick to present arrangements.

37474. The Statute of 1858 eliminated all chances of risk?—There have been regulations which have not met with public approval.

37475. Under the Statute of 1858?—One of the rules was about the age. Suppose any powerful agitation is raised, when it is confined only to India. I wanted to eliminate all that chance.

37476. Would that make any difference so far as the Home Civil Service is concerned? Are not the same class interests that you have in mind as conspiring to take hold of the Government of India—would not the same class interests conspire to take hold of the Government at Home?—I do not know. There are greater safeties there. What we want is that we should be put in the same boat as the English administration.

37477. The bigger the plum, the greater the temptation?—On the contrary there is less risk.

37478. You say that "it provides in the Indian Civil Service Commissioners an independent agency which by its position has to treat all questions as they would affect all the three services." In view of the opinion that you have expressed in (a), (b) and (c), would you say that the Civil Service Commissioners are above reproach?—I cannot say. We are having as independent a body as we can. It is after all a human institution.

37479. If you believe in what you state in sub-clause (c) of your answer, you must modify—must you not—the fears that you have expressed in reply to the questions that I put you as regards the sub-clauses (a) and (b) of your answer?—I think all three of them go together. I do not see that there is any contradiction between the three.

37480. Suppose we divide the examinations, would not the Civil Service Commissioners still set the papers and conduct the examination?—This is not one of those matters which appear to me to be of essence.

37481. Then you do not lay any stress upon that answer?—It is a matter in regard to which you can frame regulations.

37482. I wanted to know whether you held any strong opinion as a representative Indian; if not, we will go to other points. You hold also fundamentally this objection that a separate recruitment for the Indian Civil Service will never do as it will enable anybody to criticise a certain section of the Indian Civil Service as having come through an inferior door?—Yes.

37483. Your proposal is for the revival of the Statutory Civil Service?—Yes.

37484. Do you not lay yourself open to exactly the same objection in regard to your Statutory Service?—Really speaking, what it means is this. Only a certain number of posts are made available for competition, but other posts are reserved for being filled in another manner, and the remuneration for the persons who get in thereby is lower.

37485. Does not that mean you have a grade stamped right away as an inferior grade by its lower remuneration?—That is one of the conditions under which we have to work.

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37486. Does not this proposal which you put forward with a good deal of unwillingness but as a compromise—does it not really make things worse?—No; at present comparing the few places we have it comes hardly to 5 per cent.

37487. From the point of view of places, I see your point. But I am not thinking of the number of places. I would like to get at your point. The complaint, as I understand it, is that there is some idea of inferior places inside the Indian Civil Service?—Yes.

37488. That is a fundamental position that is taken up?—Yes.

37489. Does not this suggestion or proposal of yours involve the same sort of thing that you blame the English Government for. If instead of 6 we give you 9, we will stamp the inferiority on the 9 far more deeply than we have stamped it on the 6?—Not 9?

37490. Well, no matter; take X and Y—not the exact numbers?—It is only one-sixth. What it means is that one-sixth of the Civil Service is allowed to be recruited in India itself.

37491. Would you mind just gripping the principle. We have had a cry or a charge that X places in the Indian Civil Service are inferior; but as a compromise you ask us to give you Y places—Y being the greater mathematically. But you will stamp the Y places with a deeper stamp of inferiority than the X places. Is not that exactly the evil that you throw in the teeth of our English Government?—As I have said, we have to approach these questions from a practical point of view. What is it that has to be done? First of all, we want that the Indians should be associated to a larger extent in the higher administrative work of the Government than at present. First of all you say that in regard to certain matters it is nothing but British tone that is necessary. We say, very well, let us have the minimum of British tone and a minimum number of Indians who ought to have that tone. That would not certainly satisfy all that the people naturally desire. We say there are people who cannot for various reasons go to England and reach the highest standard that you want.

37492. But you are not meeting my difficulty. You make a proposition, and let us assume that the Commission and yourself agree as to the difficulty that exists. As I understand it, you have answered certain questions with the idea of getting out of that difficulty and you make certain charges against the Government?—I do not make; it is the Government itself that makes the admission.

37493. I do not use the word "charge" in any offensive way. You make certain complaints—let me put it in that way—against what has been done. My point is that you are not going to get out of your difficulty, as you yourself admit in answer to earlier questions, by increasing the number of Indians in those responsible positions if you maintain their inferiority?—No.

37494. This is what I understand to be your objection to separate examinations?—Yes.

37495. My point is a very small one. It is that your own proposal is to increase the number of posts but to stamp them with a still

deeper mark of inferiority. That is what I feel. Do you agree with me in that conclusion?—I shall tell you the reason why this has to be done.

37496. Do you admit that this has to be done?—Let me put it in my own way. There are members of the Provincial Service to whom it is necessary that certain higher prized appointments should be given. Their case has to be provided. There is also the case of those who, as I have said, have a right given to them by a Statute, which I for one should be very sorry to lose—that the appointments of a certain number of Indians should be made in India; and to secure that end, certain sacrifices have to be made, and a sacrifice was even cheerfully made in 1879, when they decided to accept lower pay. That is a right which I do not wish to abandon but which I should like to keep.

37497. I do not want you to misunderstand, but you admit what I put to you as regards the suggestion you have made?—As practical politicians we have to accept the situation.

37498. As practical politicians we must also face practical complaints and practical difficulties?—Yes.

37499. You admit that your scheme really does maintain a certain stamp of inferiority?—There is an amount of inequality so far as the members of the Statutory and Provincial Services are concerned.

37500. Let us take the other alternative of the separate examinations. I understand your argument to be this: even if the standard of the separate examination held in India is equal to that of the examination held in England, yet it would be said that the men who are getting in here have lower qualifications?—I said that if there was no chance of the other, that scheme would deserve to be considered. That is the fear to be avoided and I want to have some guarantee against that.

37501. In answer to question (9), where you say you are opposed to the holding of the separate examination, you say "I hold that no ground should be given for making any insinuation in regard to Indians entering the Indian Civil Service that they obtained entry under an easier examination than the competitive examination?"—That is what I fear. That is the reason why I am not in favour of separate examination.

37502. You fear that, even if there was no ground at all for it, that that will be made?—Yes.

37503. Your own scheme, you admit, gives us the ground for it?—Not in regard to those who enter by the door of the simultaneous examinations.

37504. No, but your statutory scheme which is a compromise or what you call a compromise. You admit that it actually does give the ground?—Yes.

37505. The separate examinations, if they were equally stiff, would really not give ground; but you are afraid that it might have a bad reputation?—First of all unless that scheme is fully developed it is difficult to pass any opinion about it.

37506. If it is to be said that there is to be recruitment in India up to 50 per cent. of the

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posts available for the Civil Service and that recruitment would be by open competitive examination held in India, though a different examination from the Indian Civil Service examination; would that be acceptable?—Might be acceptable. But till such a thing is definitely put forward, it is rather difficult for me to speak emphatically on the matter.

37507. You urge that it is very dangerous, because it is open to much risk and misconception?—Until I see the scheme it is difficult for me to give an off-hand opinion.

37508. In reply to question (7) you reject that idea?—Now that it is developed to me by two or three members of the Commission that it would be an examination of the same standard, with pay, leave and retiring rights of the same character and with the same chances of promotion as the other, that is a different thing altogether.

37509. You see that question (7) that was put to you was with reference to the probable vacancies in the Indian Civil Service cadre so that it contained by implication all the qualities which have changed your mind?—May I point out that that was also what was stated in connection with the Statutory Service. We go by past experience and we have to be careful in what we have to say.

37510. With reference to the age, there is one point. If you get the proportion fixed, does it really matter to you at what age, provided it is a tolerably convenient educational age, your Indian boys have to stand the examination?—I beg your pardon, I do not quite follow you.

37511. You object to the lowering of the age for the examination. Supposing you get your percentage of places fixed, does it really matter whether your competitors are taken at 20 or 23, provided always that, after they pass the examination, they go to England for two years' training?—You are speaking of Indians?

37512. Yes?—Provided the age is a suitable age. You must remember that they will have to study all the different sciences in a foreign language.

37513. These general things are quite before us. The point is that you have got 60 vacancies and 20 of them belong to Indians. It does not matter about the sciences and so on. If they have got the 20 places of which they are sure, the question of age becomes a minor one if it is conditioned by a certain percentage. Is that so or not?—You see we have to remember this. If the age, for instance, is too low, if the boys who go through the examination come out very bad, immediately there will be an agitation to the effect: here are Indians who are utterly unfit, and because a certain number of places have been allotted to them, inferior stuff is being recruited. We have also to guard against that. What I mean to say is this: the age question is not so unimportant as you think it is, or as your questions may lead one to think it is.

37514. If it is placed too low, it will lead to that?—Yes. Suppose it is 22 instead of 23, there would be hardly anything in it.

37515. (Mr. Chaudhary.) I will first clear the ground as regards one question put to you by Mr. Madge. As regards the examination about

which he said that complaint or petition was sent up, it must be a qualifying examination and not a competitive examination?—Qualifying examination.

37516. So far as my impression goes from anything that I have heard on the subject, it was not an examination for a higher degree like the M.A.?—From what Mr. Madge said, it was only the Matriculation Examination. I have not heard the complaint.

37517. My recollection is very vague. It was an examination of a very low order and not like the examination for the M.A.?—No.

37518. The chances of anything like that happening in connection with an examination like that of the Indian Civil Service would be almost impossible?—Yes, impossible.

37519. I wish to put you a few questions with respect to this vexed question of the simultaneous examinations, and I do so because you have been studying it very closely and I want to know your views on some aspects of it, which others as practical politicians bring forward as obstacles to your recommendation, and I do so because you may be quite prepared to meet them as a practical politician. You advocate the simultaneous examinations, I gather, not as an assertion of equal right of citizenship, but as a means of getting a larger number of Indians into the higher services?—On both grounds.

37520. The main aim is the larger employment of competent and fit Indians in the higher service?—Yes.

37521. I suppose that as a practical politician you will agree that, if that object is attained with less expenditure to the country and with less discontent in the country, then that would be a preferable mode of attaining it?—Yes, it would be.

37522. Have you calculated the cost of the simultaneous examinations to the revenues of India?—I have not calculated the cost, but I should think that, after all, it would not be a very great item.

37523. I may tell you that Professor Paranjpye worked out the figures before us when he gave his evidence in Bombay, and he gave the details. He calculated that the cost would be about £10,000 a year. That figure was brought down after cross-examination to £8,000. From the revenues of India, a sum of £8,000 to £10,000 will have to be spent for the purpose of the simultaneous examinations. Let us take that figure. Having got that, if the object is to get in a larger number of Indians, and you yourself accept, at least for the present, the limitation that it should not be more than one-third, then I want to know whether a practical politician like you who has got a fund of £10,000 would use it for the simultaneous examinations, the result of which, in the near future, under the present educational conditions, is not likely to bring in a much larger number of Indians than you get at present, or would be use it for a system of scholarships? This sum of £10,000 would enable you to start about 40 scholarships of £250 a year each. What do you consider would be the best way of utilising this sum—would you utilise it for holding the simultaneous examinations which give you the chance of many failures and a

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very few people coming in and might even at some future date end in discontent—you will admit that there is bound to be some discontent, if very few get in—or would you as a practical politician devote it to the object of scholarships instead of the simultaneous examinations and thus secure a larger employment of Indians in the higher service?—In regard to that it is permissible to have a difference of opinion. I have to assume that the cost of the simultaneous examination is what you say, *viz.*, £8,000. I do not know whether the examination itself cost so much.

37524. I can give you the details if you want them. We have had the calculation made by one who has gone into the thing himself. The Civil Service Commissioners have to be paid their fees and all other expenses have to be calculated?—Would the holding of the simultaneous examinations necessitate the bringing in of all the examiners in all the different subjects? I do not see the necessity for it, because most of the examination is written. In the first place I do not think the cost need be so much.

37525. But assuming that it is so, how would you deal with the question?—There are two aspects of the matter. One is that in the beginning, as you say the number of persons who would get in by the door of the simultaneous examination would not be large enough to admit the minimum which we assume is going to be allotted as open to India.

37526. While perhaps a large number of persons would get in with the aid of the scholarships?—Yes. In that case if there is a sufficiently large number of scholarships given, so far as the immediate present is concerned it might be said that we do not lose anything. On the other hand there is one principle which is also advocated by many people . . .

37527. In what direction would you yourself, as a practical politician, utilise that fund, assuming you have £10,000. I want an answer in which direction you will spend it?—I am going to show you why I am still inclined in favour of the simultaneous examinations.

37528. Which would you prefer, the system of scholarships or the simultaneous examinations?—I would still prefer the simultaneous examinations.

37529. There is one more point. At present the main grievance is that such of our able students as have not the means are kept back from getting at the open door in England?—Yes.

37530. The scholarship fund scheme would equalise you in that respect?—To a very small extent.

37531. So far as Indians of merit and ability are kept back from competing, there would be an attempt to equalise those conditions, by the grant of scholarships?—Yes.

37532. I want to have your opinion as regards the failures at the simultaneous examinations which you propose to introduce. As regards the failures at the English competitive examination, are not the persons who go to England, study for 4 or 5, or 3 or 4 years and come out unsuccessful—are they not expected to be better citizens in India, than persons who appear for the

simultaneous examinations and fail here?—What you have got to see is this. He might in certain respects be a better citizen having obtained a knowledge of English life. But so far as he himself is concerned he is a loser in money.

37533. So I put it expressly to you from the point of view of the interests of the country. I quite admit that individually he will be a sufferer. As a practical politician you are interested in India, and in its condition. The presence in India of such failures would be a greater acquisition so far as citizenship goes, than failures in this country?—I do not know that the man would not have a feeling of disappointment ranking in his mind.

37534. As regards equal opportunities, barring this consideration of able, but poor Indians being kept back, there is no actual inequality so far as the wording of the Statute goes. When the Statute was passed, there were few Indians in the Service. What the Statute did do was that it enabled all Indians to appear for the examination?—No, excuse me. When the Statute of 1833 was passed, there was no competitive examination; the appointments were all made by nomination. The examination was founded in 1853.

37535. It was nomination into Haileybury?—Yes.

37536. When the door was opened, it is not as if the door was in any way restricted to the coming in of Indians. There was only one door, through which both could go in. It is on account of other circumstances, such as distance and want of means that the inequality arose?—Yes.

37537. Are there not able but poor people in England itself, who are deterred from taking up the Indian Civil Service course on account of want of means. Is not that complaint as to poor people with clever brains being kept back from competing at the examination, an item which is present in both cases?—I do not suppose that it can be to the same extent. It cannot be to the same extent there.

37538. You think that anyone can pay the public-school fees and go through an University career in England?—If you take the proportions, that can do so, you will find that the proportion in India is small—overwhelmingly small.

37539. I admit there is great difference in degree. You admit that there may be certain persons who may not be able to compete for the Indian Civil Service Examination on account of poverty and want of means?—The probability is that they are persons who are unable to get any kind of education. If they are able to obtain any kind of higher education and if they have the inclination, there is nothing to prevent them from getting it.

37540. Do you say there is no difference between the cost of ordinary education here and that of ordinary education in England?—What I mean to say is that if the cost of education in England is high, the Universities give considerable help in the way of scholarships to enable persons to study.

37541. There is only one question more that I will trouble you with. You have in your written answers advocated a complete separation of the

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Judicial and Executive function. I want you to give me an answer to this question—whether you propose that as a mere theoretical abstraction, on the ground that it is always desirable to have the two departments entirely separate, or do you propose that as a practical step to remedy any grievances or complaints that are felt?—I believe it has been long held—Lord Dufferin called it a counsel of perfection—and it has been admitted by men of the highest judicial eminence and executive position, that it is desirable to effect the separation of Judicial and Executive functions.

37542. My question is not as to its abstract desirability, but what I wanted to know was whether your recommendation was made on the grounds of abstract desirability, or was based on the fact that it would go to remedy some of the existing complaints which the public and others have to make?—It is the latter reason.

37543. (*Sir Murray Hammick.*) Do I understand with reference to this answer to question (6) where you propose that 50 per cent. of the Civil Service should be Europeans, that you advocate that more as a compromise?—Yes.

37544. That in your opinion it is not necessary to make the compromise and you would leave the simultaneous examinations alone?—I am saying that 50 per cent. Europeans would be in the Service without laying down a hard-and-fast rule.

37545. Suppose 50 per cent. Europeans did not get in, would you still be of opinion that the simultaneous examinations should exist in order that the Service might be completely Indian?—There is hardly any chance of that.

37546. If it produced that effect, are you satisfied that the Indians who would get in by that means through the simultaneous examinations, would be of that character that it would be unnecessary in that event to have any European minimum at all?—My reply has to be taken with all the limitations that I put upon it and with all the safeguards that I impose. It is not to be merely an intellectual standard. In the first place, I do say that a very high examination of that kind does mean the possession of qualities of morality, qualities of patience, steadiness and self-control and all other things, in the man who passes it. Secondly, I must myself say that his moral character has to be judged, his moral character from his school days, up to the time that he appears for the examination, and if any of the candidates is an undesirable person, he is immediately eliminated. So you have both the intellectual qualification and the moral qualification.

37547. Are you going to select your candidates for the simultaneous examination before they are allowed to go in for it by the standard of a moral certificate?—My scheme for the present would be to send in along with applications, certificates of moral character also, and you should not admit any one unless he is found to be sufficiently satisfactory.

37548. You would not have any selection before the examination?—Whether it comes on before or after is not a matter of much importance.

37549. What I wish to ask you is: do you intend to have a personal selection of these candidates either before or after the examination?—

Whether it comes before or after does not matter. What he has to satisfy the Civil Service Commissioners is that, in regard to this examination, he has first of all the necessary qualifications for the examination, and secondly he possess the necessary moral qualities, by the production of certain kinds of certificates.

37550. It will only be a production of certificates, as happens at home as regards the English boy, that he was of good character at school and nothing more?—He should be required to produce certificates from year to year both in his school career and in his college career.

37551. But you do not intend anything more than a certificate—you do not intend anything in the nature of a personal interview?—If that is considered necessary, I have no objection.

37552. You have no objection to an elimination by personal interviews with the candidates?—No.

37553. If you insist upon it in India, you would also insist upon it in England?—Yes.

37554. You would be in favour of selection by interviews with candidates in India?—I would not call it a selection. First of all there is the natural standard of examination and then there is also the moral examination. If you call that selection I do not object to the word.

37555. You would have the candidates' certificates looked into and that certain persons should examine them to see whether they were up to the standard in moral conduct?—They would inquire into their moral history.

37556. What body would you have in India to make this examination into the standard of moral conduct of the candidates?—I believe the syndicates of our Universities can be entrusted with that authority by the Civil Service Commissioners.

37557. Is it your idea that the candidates should come up from a University?—Suppose you have candidates from the Universities, then you have such bodies who can be entrusted with that duty.

37558. Your Senates are rather cumbersome bodies. How are they going to select candidates of the requisite moral standard?—I said "Syndicates."

37559. You will have the Syndicates of the five Universities meet at a centre and judge of the moral conduct of these people?—You may give the power only to one or two—say the Calcutta and Bombay University Syndicates or the older University Syndicates—and they might make inquiries into the moral conduct of persons that might apply from their own presidency. If the person is found fit or nothing wrong is alleged against his character, there will be no further enquiries, and there is no reason why he should not be appointed.

37560. You do not fear, from any system of that sort, the very favouritism that you are afraid of?—They would first of all be a body examining into the history of the candidates. They would be practically a reporting body to the main body. It will be a tribunal subject to an appellate authority.

37561. It is an important distinction you put forward in regard to your simultaneous examina-

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tious. Now you are very much in favour of selection or elimination of candidates by personal interviews with candidates. Do I understand you to say that that is your scheme?—What I suggested was that, first of all, you take from him a thorough history of his moral character, as given by his teacher or by his College Professor, if he was in collegio; and if necessary a personal inquiry is also made. On that a report is sent and any person who is not found to be desirable is eliminated.

37562. Are you in favour of simultaneous examinations without any of these restrictions, or do you think that simultaneous examinations, if introduced into India, will necessitate an enquiry of this kind into the moral conduct of the people?—It is said that the examination gives you the guarantee of only the boy's intellectual qualities.

37563. I understand that you think it absolutely necessary that if you have simultaneous examinations, you must accompany them by a personal examination into the moral standard of the pupils, for the purpose of the elimination of bad characters from the examination?—I do not put it so strongly as that. What I say is, there is first of all the intellectual examination, and then there is the moral examination; and you get the certificates and so on. Satisfy yourself about his moral conduct; and if he is undesirable, then he should be eliminated.

37564. How are you going to find out whether he is undesirable or not?—He has to produce certificates of good conduct, under the present system. All that you might require is some statement giving a history of the young man. After that, if necessary you make inquiries, and on those inquiries, a report might be sent to the Civil Service Commissioners, and they might eliminate the person who is undesirable. This is a different thing from a system of selection.

37565. Do not you see that your system will give rise to a great many more difficulties as regards simultaneous examinations than a plain system of open competitive examination merely taking the certificate of every boy that comes up? But you desire to go into the character of each boy and have a report sent to the Civil Service Commissioners. That means that every case has to go to England?—Might be.

37566. You would ask the Civil Service Commissioners to find out whether A or B is to be allowed to appear for this examination or not?—That again, I say, is to satisfy the objections of those who think that we must have some further guarantee of character than what is afforded in the case of the present examinations.

37567. I am asking you for a personal opinion. Do you think it is necessary or do you think it is not necessary?—I am suggesting it to satisfy the opinion of others.

37568. What is your own opinion?—I have stated myself that the examination is a good test of the possession of certain very high intellectual and moral qualities. Further, there are certificates of honesty and good character. They ought to suffice you, but if you still want

37569. It is not what I want; it is for you to say what you want?—I have given you what I

want. There is the production of certificates of good moral character.

37570. Do you think that is quite sufficient?—That ought to be sufficient, if it is sufficient in the case of the present candidates.

37571. In your opinion it is sufficient?—Yes.

37572. You do not think it necessary to have a personal examination into the moral qualities of candidates?—No. But if you want it I am prepared for it.

37573. I want to ask you another question. Mr. Fisher asked you whether considering, not only as regards the study of the language, but as regards the adaptability of character, it is really advisable that Englishmen should come out to this country three years younger than they now come out, that is, at the age of 23 instead of 25, or 22 instead of 25, we should suggest that the examination in England should be placed at 19 instead of 23, I should like to know whether you could give us any method by which arrangements for the simultaneous examinations could be made which would satisfy the Indian out here that he has got the same chance as he would get, if the age were 23, as it is now?—The difficulty of the matter is this: as I told Mr. Fisher, it is the premise with which I cannot agree. It is supposed that persons who come out under the present system are less adaptable to their environments than those persons who came out at an early age. That is a proposition the correctness of which I am not prepared to accept.

37574. Supposing we come to the conclusion, and supposing the Secretary of State eventually thinks it necessary to reduce the age to 19, can you suggest any course by which Indians in this country could be given equal facilities to get in under these circumstances?—What I would say is this: that would be a matter that would be unfair to Indians, until we rectify it by having a higher age for Indians.

37575. You think it would be possible to have an examination at 19 in England and a simultaneous examination out here for Indian boys who should be allowed to go up at 21?—Yes.

37576. You think that would be possible?—Yes. That would be possible.

37577. I now pass on to two or three questions as regards the effect of these examinations upon Education. I suppose you know that, in England, for many years past, the efforts of the Civil Service Commissioners have always been to fit in their examinations with the curricula of the various Universities in England?—Yes.

37578. And they have done that with considerable success?—Yes.

37579. On the other hand, I suppose you know that if we instituted simultaneous examinations here, very great pressure would be at once brought on the Senates of our Universities to bring their curricula to square with the examinations held here for competition for the Indian Civil Service?—Yes.

37580. Do you understand what I mean?—Yes.

37581. Do you not think that this very pressure that would be brought to bear on the Universities out here to alter their courses, which

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have been the result of an enormous amount of thought and consideration for the last 40 years, would be a very serious drawback to the starting of the examinations in this country?—I do not see that there is any such conflict as you think. After all, what is it that is wanted. What our Universities aim at is to give sound education in the different departments of knowledge. And what is it that the Civil Service Commissioners want? To test their candidates in regard to the possession of sound knowledge in various departments. I do not, therefore, see any bar if any pressure is brought to bear upon Indian Universities which would be in the direction of raising their standard of education, making it more effective and bringing in more qualified professors and having a more searching examination and so on.

37582. You want to have an entirely separate examination for the judicial side different from the executive side?—Yes.

37583. That would involve two examinations in England and two examinations out here?—Papers would be the same in regard to all the other subjects except in regard to law which the students going in for the judicial side would have to take up. This would be the only difference.

37584. Would you have the examination at the same age?—Yes. Everything should be the same in regard to persons who want to go in for the judicial side. They would have to make their choice of the department.

37585. That would be rather difficult to work out?—No. One boy would have to go in for an examination in which he has a certain number of subjects, and another boy would be going in for an examination for which he has to take six extra subjects.

37586. Do you think it likely that a boy would go in for six extra subjects?—They will have to compete for a maximum of 6,000 marks, of which 1,500 may be allotted to law. There are six papers in law with 1,500 marks allotted. You may make them three different papers, if you like, for law. The other papers would be common to both and they are set at one time. A similar thing existed in my time when there were 13 different optional subjects at the B.A. We had to select not one subject but three subjects out of these 13 subjects, and all of us were not examined on the same day. There were different days fixed for different subjects and the candidates who took different subjects appeared on those different days.

37587. Your idea would be to have a certain number of compulsory subjects and a certain number of optional subjects, and the six heads of law that you propose to prescribe would be optional subjects, and if they should be taken up by a candidate, he would be considered as having elected the judicial side?—My scheme says that the boy who goes in for the judiciary must appear in those papers.

37588. He must at the time he goes up for the examination decide whether he goes into the judicial or to the executive side, and if he is to go into the judiciary he must take up these six subjects?—If he wants to enter the judiciary, he must take them. These law papers are

compulsory for him. He would have to get marks in other subjects to the extent of 4,500.

37589. You would not have it that a boy who might fail for the judiciary might get into the executive and *vice versa*?—There is nothing to prevent them from trying for both. He might send his name for both.

37590. It is rather a complicated arrangement?—We had such a complicated arrangement even in India. There was nothing difficult about it. That was continued for years.

37591. Have you heard of a boy going up for a simultaneous examination, passing for two different careers, and in two different sets of examination?—It is only a matter of arrangement. You may say that the examination will last for a long time and the boy would be putting himself to a very great strain. But, only if he likes it, he is going to take it up in that way. There is nothing to prevent him from getting through both the examinations.

37592. You do not think that, after the examination, a boy could learn enough law for two years at home?—None of these schemes which have been advocated holds out any guarantee of real knowledge. Unless he is examined immediately after the examination, in such subjects as those prescribed for the B.L., there is no use.

37593. Your idea is that the candidates who go up for these examinations should be graduates in Law?—I do not suppose they will be. By the time they become Bachelors of law, they would be at least 22 or 23, and afterwards to go to England would be rather difficult. They would have to go there at an earlier age, or if it is, here, they would just come up to the B.L. Examination.

37594. Do you not see that this would necessitate a boy specialising in all the subjects of Hindu Law, Muhammadan Law, Criminal Law, Torts and Contracts? Do you suppose that an ordinary boy who has not specialised from lower classes will have enough knowledge of these subjects?—They are not boys. They are young men according to my scheme. They are young men of 24 and 27. Those are the ages at which students appear for the LL.B., which is known to be a very stiff examination.

37595. It would alter the whole character of the examination. It would be an examination for special subjects, instead of an examination of the results of general education in a public school?—There are two things, are there not? There is general knowledge tested in those four papers, relating to 4,500 marks. There is the general culture test. It may be in science, it may be in literature, or it may be in history. In that way his general culture is tested. If he chooses law, then his real knowledge of law also is tested. Then alone he goes into the judiciary, and not till then.

37596. (Mr. Standen.) In your answer to question (40), you say "as far as possible, an Indian coming under the system of competition should be appointed to a province other than that of which he is a permanent resident." Why do you think it desirable that Indians should not serve in their own province?—I say it again to obviate objection,

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One of the things generally stated is that a European keeps himself aloof from all parties and so on; and they are afraid of Indians taking sides. To obviate this kind of criticism, I say let not a Bengali civilian be appointed to Bengal, but be sent to Bombay, Madras, the United Provinces or the North-West Frontier Province. It is only for that purpose, I suggest it. Secondly, also, in order that he might, as far as possible, work in a sphere different from that in which he himself was brought up. I have suggested this to obviate objections and also to see that, like Cæsar's wife being above suspicion, he should be entirely under different surroundings from those in which he was brought up.

37597. Suppose the simultaneous examination were established, do you think that the majority of Indians who would get into the Indian Civil Service under these conditions would be men from Bengal, Bombay and Madras?—I do not think so. It might happen so for four or five years. I do not suppose that our province is not coming up to other provinces.

37598. It is not improbable?—It might happen in the beginning, say for five or ten years.

37599. Supposing it did happen, the result of your whole proposal would be that you would have the most backward provinces administered more largely by Indians and the most advanced provinces administered by Englishmen?—I do not think so.

37600. If you had a Bengalee, a Madrasi and a Bombay Mahratta, you would not send them to their own province, but you would send them to the Central Provinces or Burma or the Punjab?—Yes.

37601. And you will have to fill the places which they might have filled in their own Provinces—you will have to fill those places with Englishmen?—Yes.

37602. The ultimate result of that would be more Englishmen in more advanced Provinces and many more Indians in backward provinces?—Suppose such a result takes place, I do not see that from the administration point of view it will not at all be undesirable to have a larger number of Europeans say in Bengal. But apart from that, I do say: let us take the facts as they are. The Central Provinces and Berar were among the latest to come under the British rule. Are the people in any way behind those of Bombay? I am only speaking educationally. Educationally, we may not have the same number of colleges, but how many students have gone there?

37603. Let us accept it that it is highly probable, that the majority of successful competitors will come from the more advanced provinces. Supposing they do, would not what I have stated be the result of your proposal? Do you think that would satisfy anybody? Would Bengal be pleased at being governed much more largely by Englishmen than Burma and the Central Provinces?—I do not think that when the present dissatisfaction is removed, any of that sentiment would remain behind.

37604. Are you aware that the young Indian civilians are not very ready to go into the judicial branch?—Yes.

37605. You are aware of that?—Yes.

37606. Would not the same feeling prevent the candidates from going in for a separate judicial examination?—When they find that if they have to get in at all, they could get in only in that way and with the prospects that my scheme contemplates, there will be no difficulty.

37607. How do you propose to improve their prospects?—One of the reasons why people are unwilling to go into the Judicial Department is they say that there are not the same prospects before them as there are before the men in the Executive Department. But, in my scheme, I have provided for one Membership of Council. These prize appointments will stimulate the people to get into the Service. When the number of prize appointments is increased, and the prospects are made equal in both the departments, I do not suppose that there would be the same disinclination to go into the Judicial Department that now exists.

37608. You propose to stop recruitment for the High Courts from the Bar?—No.

37609. How do you increase the number of prize appointments in the Judicial Branch?—The persons who get into the Indian Civil Service as members of the Judicial Branch will go to the High Court. But the members of the executive branch of the Indian Civil Service have no right to get into the High Court.

37610. Are not there the same number of prize appointments at the present time?—For years for instance in the Bombay Council there was nobody from the judicial side at all appointed.

37611. In the Bombay Executive Council?—Yes, nobody at all was appointed from the judicial side. I believe that was the case in Bengal and Madras for a large number of years. There was nobody appointed to the Council from the judicial side.

37612. That is one of your recommendations that one Member of the Executive Council should always be a Judge?—A man in the Judicial Department.

37613. You think that the offer of these prize appointments would lead considerably to greater readiness on the part of the young civilians to take to the Judicial side?—Equally in the other appointments.

37614. Meaning thereby, what?—Looking into the Indian Civil Service list, one should see that the appointments are fairly equal.

37615. Judicial appointments are better paid at present?—Not the higher ones.

37616. You will find that the District Judges are all better paid?—I have not got the statement with me, but I know there are places on Rs. 3,000 or Rs. 3,500 in the Executive Departments which are not available to the men of the Judicial Department.

37617. Your opinion finally is that there will probably be a strong competition on the part of the English candidates for the Judicial Department?—Yes, provided that the prospects are equal.

37618. (*Mr. Thakur.*) May I take it that the effect of your proposal in your answers to questions (10) and (21) is that you do away entirely with the

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present system of listed posts?—Not entirely. The present system will be done away with, but those posts will form a part of the one-sixth appointments open to Indians.

37619. What I mean to ask you is that, apart from the Statutory Civil Service, which may get or may not get all the appointments which you propose should be given, the Provincial Service will not get the appointments that are open to them now, as listed posts?—The Provincial Service will get 40 of the superior posts.

37620. That is less than what is now open to them?—At present 56 are open to all Indians—not only to the Provincial Service people, but to all Indians in India; and in my scheme that number will be 120. When you take a man's opinion you must take the whole of his opinion.

37621. When you list the appointments for the whole of India how will they be apportioned?—The appointments will vary with the different provinces. The Provincial Service has one-sixth of the superior appointments in the Province and they would be available for what may be called appointments under the statute. There is no Provincial Service under my scheme.

37622. The present system is to list one-sixth of the appointments for the Provincial Service and one-fourth of them is for other people?—It is not one-sixth, really speaking. I have given you the figures.

37623. The orders on the subject—are they not to the effect that one-sixth of the appointments should be listed, though at present there are only two posts filled up?—There are 720 superior appointments, of which only 56 are open to Natives of India appointed in India.

37624. That is because the full number has not been listed?—That is all they would give. They decline to give more than 56. That is the number of superior listed posts. The schedule consists of Assistant Collectors, Collectors and Commissioners and so on. Out of those appointments, only 103 are open.

37625. Are you aware that there are certain posts which have not yet been filled up, because the claims of certain civilians who entered the service before that scheme came into force have not been satisfied?—Fifty-six is the number of superior listed posts.

37626. On this account, some proportion of listed posts have not been filled?—That proportion is not large.

37627. Large or not, there is a proportion of these posts not filled?—Is it not 90, now which are filled up?

37628. In the whole of India?—Yes.

37629. You said it was 56?—120.

37630. The system of merging inferior posts into the Provincial Service has been put a stop to and probably rightly, but without looking to what actually is in possession of the Provincial Service. Only let me know if these orders are correct—that one-sixth of the superior appointments are available to the Provincial Service at present?—I do not agree with you. Deducting other posts listed as open, the Provincial Service has only 56. It is not the number actually in possession. That is a possibility open to you.

You have only 56 throughout the whole of India and Burma.

37631. Suppose 56 are now open to the Provincial Service, only one-fourth of it is open to others?—Yes.

37632. And therefore, the rest is open to the Provincial Service?—Deducting 14 from that figure, there remains 42 as open to the men of the Provincial Service. Under my scheme, the Provincial Service will have at least 40.

37633. At least two less?—In that case, the Provincial Service men will see that there are other countrymen of theirs who will get 80. They will have sufficient patriotism to make that sacrifice.

37634. Would not the other countrymen have patriotism enough to see that these men get more?—You will get only two more.

37635. You say that the present conditions are not to continue, because the service is regarded as inferior?—Yes.

37636. That is your main objection?—I have heard complaints to that effect from the men of the service themselves.

37637. If it is reformed and put on a sufficiently good basis, so that the stamp of inferiority is removed, would you not like to see that these higher appointments are added to the Provincial Service, instead of the services being more and more multiplied, to the distraction of Indians themselves. Is not the result the same if instead of having a Provincial and Statutory Civil Service and any other number of services, and those who want to get in not knowing which to enter, you have—and it will be more profitable to have—two services, one the Indian Civil Service, and the other the Provincial Service in which their employment will be sufficiently dignified and advantageous and which would supplement the needs of the Government and Administration, and to which all the posts that you take off from the cadre of the Indian Civil Service are added?—We have to remember what the Provincial Service is.

37638. I want a much better system. The Service to be divided into two, one supplementing the other, and the superior appointments from the Indian Civil Service being put into the other?—It is not what is desirable in the abstract, but what is practicable—I have proposed what is practicable, taking all things into consideration. You have to remember that there are various claims which have to be satisfied.

37639. That is a matter of detail. We first want to settle what the service should be and then see what other claims have to be satisfied?—You have to see that the Provincial Service is not the only service to be kept in view. There are other things to be taken into consideration.

[Adjourned for a short time.]

37640. (Mr. Thakur.) Supposing your scheme of a Statutory Civil Service is not granted, have you any objection to the full number of listed posts being added to the Provincial Civil Service and its status improved?—Of the 120 posts, you mean to say, possibly open?

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[continued.]

37041. Yes. In the absence of any other service to which they could be deviated, do not you think it would be better to have them added to the Provincial Civil Service and its status improved?—If the other parts of my scheme are kept and all that you want is that, instead of reviving the Statutory Service in the manner I propose, the 120 superior posts should go to members of the Provincial Civil Service, I would have no objection, provided it goes along with the simultaneous examination suggestions.

37042. The simultaneous examination in your scheme does not affect the Provincial Civil Service?—I have a scheme which is entire by itself, and I can only think of it as an entire scheme.

37043. Will you kindly explain in detail how, if the Statutory Service is not given, the posts that are listed under your scheme will be added to the Provincial Civil Service?—If I understand the resolution of the Government of India correctly, the Provincial Service would not be confined to those persons for whom the Statutory Civil Service was intended. The Statutory Civil Service was intended for Natives of India as defined by the statute, but by the resolution of the Government of India, for the purposes of the listed posts Europeans who are not statutory Natives of India shall be eligible for appointment if qualified according to the conditions, with the sanction of the Government of India. That would therefore become an integral part of my scheme.

37044. My question is not about who will get into the Provincial Service as it will be. Is there anything in your scheme which will prevent those posts being added to that Service whatever be its composition? Would those 120 posts, or whatever the one-sixth would come to, available under the existing orders for the Provincial Civil Service, be given to the Provincial Civil Service?—All I can say is that full justice would not be done to the claims of the Natives of India even to the extent admitted by the Statute.

37045. It is on that account that you will not have them added to the Provincial Civil Service, because if they are added to that Service full justice to the claims of Indians will not be done?—No, not by the proposal I have made.

37046. That is one of your objections to adding these posts, I understand?—For giving up my scheme and adopting what you say.

37047. Supposing this scheme is not granted, what would happen to these posts?—If the number is increased, in the absence of anything else I would say that possibly it might do some good to Indians, that is all.

37048. In order to remove your objection of inferiority from the Service, do not you think it would be better that direct appointments to the grade of Rs. 300 should be made and the Service made a continuous one up to the highest post that is opened to it?—What would you do for Munsifs, the persons holding appointments of Rs. 200 either in the Judicial Branch or in the Executive Branch?

37049. Unfortunately I cannot tell, and therefore I want to have your advice. Supposing we have a Provincial Service, and instead of having

members from Subordinate Services drafted into the Provincial Service a scheme is recommended in which direct appointments to all or some of the posts are made to the Provincial Service in the lowest grade in these Provinces, that is Rs. 300, and other posts that are added are made continuous from Rs. 300 to the very top, say, Rs. 3,000 or more than do you still think that the Service will retain the same stigma?—I confess I do not follow your question.

37050. . Supposing you have a Provincial Civil Service in which direct appointments are made to the Rs. 300 grade, and the officer rises to the highest post that is open to the Provincial Civil Service, the Service being placed on the same footing, say, as the Police Service, Public Works Department, etc., in which the highest post, of about Rs. 3,000, is open to the members of the Service, gradually rising from Rs. 300 or Rs. 350; that instead of the present system, in which a man is let in from one water-tight compartment to another where it is written in front of him "You will go so far and no further": those holding the higher posts are treated on terms of equality with the members of other services who hold similar posts. Would your objection of inferiority still remain?—That would be to some extent similar to what I propose.

37051. Then your objection would be removed?—Excepting this, that for persons below Rs. 300 there would be no opening.

37052. I am quite prepared to concede that, whatever the annual vacancies may be, half of them may be given to them?—That would be very much like my scheme and I have no objection to it then. If you provide for the claims of men below Rs. 300, and make appointments by some suitable methods, preferably I believe by competitive examination, practically that would be very similar to what I have proposed.

37053. In your answer to question (16) you have said something about the rates of pay, which would now be, I take it, part of this scheme of the Statutory Service. Do you think that the difference of pay between the several grades should be only Rs. 100 or in some cases larger? If an officer begins at Rs. 300, do you think he should be promoted to Rs. 1,000 by steps of Rs. 100?—I believe at present it is Rs. 300, Rs. 400, Rs. 500, Rs. 600, Rs. 700 and Rs. 800, and I should have one of Rs. 1,000.

37054. The United Provinces of Agra and Oudh have a different grading. From Rs. 300 to Rs. 500 they have grades with a difference of Rs. 100, and thereafter they have grades of Rs. 650, Rs. 800 and Rs. 1,000. Would you prefer that grading to the present one?—I would have no objection to it.

37055. In answer to question (63) about pensions, you have given the ages and the period at which pensions should be given, but you have not stated of what amount the pension should be?—That should be half.

37056. Half is the usual rule. With this scheme, and with the higher posts open, do you think the maximum at present available is sufficient?—I should make it Rs. 6,000 a year.

37057. The Central Provinces Government scheme represents that Rs. 1,000 extra should be

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[concluded.]

given to the holders of listed posts if the holders have been three years in that post, and Rs. 2,000 extra if they have been six years. Do you not

think that would be better?—I have not thought about that.

(The witness withdrew.)

RAO BAHADUR VINAYEK MORESHWAR KELKAR, District Judge, 2nd grade.

Written answers relating to the Indian Civil Service.

37658 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have been employed in the Provincial Civil Service for upwards of 23 years and have served on the Executive as well as on the Judicial side during this period and have served under Military officers as well as under officers of the Civil Service. I accept the present system of recruitment by open competitive examination as satisfactory in principle. In the system of recruitment by competition there is a guarantee of general fitness. In Departments, like the Education and other departments, where appointments are made by nomination, it is a matter of chance whether the selections turn out good or indifferent. Besides, in the case of such highly-paid appointments it is absolutely necessary that they should be above any suspicion of favouritism. It is also just that every one of His Majesty's subjects, rich or poor, should have a chance of serving the State, bettering his prospects in life and earning distinction.

37659 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I consider that owing to the examination being held in England, the Indians are practically excluded from entering the Civil Service, and that it is not fair that they should be shut out from employment in their own country. I would, therefore, suggest that there should be a simultaneous examination in England and India.

37660 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not suitable for the admission of Natives of India. The cost of sending their sons to England is beyond the reach of many Indian parents. It is only the richest people who can afford to send their sons to England to compete for the Indian Civil Service examination and take the risk of the chance of failure. After all, in every country, whether in England or in India, it is only the sons of parents of the middle classes who would care for employment in the State for the sake of the remuneration it brings. The Rajas and Zemindars and big merchants in India would naturally not send their sons to compete for the Civil Service, while the sons of parents of the middle classes cannot afford to go on the uncertain chance of success at a competitive examination. The present system, therefore, practically operates to shut out all Natives of India. I would, therefore, suggest an open competitive examination to be held simultaneously in England and in India.

37661 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(a) Selection by headmasters of schools approved or otherwise: (b) Selection by authorities in Universities approved or otherwise: (c) Nomination by headquarters or University authorities and selection under the orders of the Secretary of State: (d) Combined nomination and examination: (e) Any other method?—I am opposed to any of the systems suggested in this question. If any of these systems is adopted, the Natives of India have practically no chance of nomination. Since the abolition of the Coopers Hill College very few Natives of India obtain admission into the Imperial Branch of the Engineering Department. Similarly instances of the admission of a Native of India into the Indian Educational service are very rare. Moreover, apart from the question of the admission of Natives of India, I consider that the systems suggested will have the effect of transferring the patronage into the hands of Heads of Educational Institutions. So many different considerations as questions of party, race, religion, parents' influence and social and official position, may weigh with the persons with whom the nomination may rest, that there is no guarantee that the best selections will be made and the system will have the effect of debarring deserving candidates who may not have any social advantages. The system of open competition is, in my opinion, the best, and just. It offers a fair field and no favour and gives everyone a chance.

37662 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of a system of simultaneous examination in India and in England; open in both cases to all natural-born subjects of His Majesty. The fears that are entertained that the Indian Civil Service will be swamped with Natives of India appear to me groundless. In a competition with the flower of English youth taken from the schools and colleges of a country like England, where education has made so much advance and where the students enjoy such splendid opportunities of acquiring knowledge first hand, the chances of success for the Natives of India purely trained in India are comparatively meagre. It is a matter of experience even in India that students from the Presidency Colleges generally secure the highest places in the University Examinations as compared with students from colleges in the mufassal. The same thing will happen in a competition between the students from the English and Indian Universities. Even if the system of simultaneous examination were introduced, the great majority of students

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desirous of competing for the Indian Civil Service will proceed to England to give a finishing touch to their education if they can afford to do so. Thus the holding of the examination simultaneously in India will, without flooding the Service with Natives of India, have the effect of removing a long-standing grievance of the people of India and will open the door for the admission of a few really deserving candidates who are at present deterred from going to England by financial considerations.

37668 (S). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not in favour of holding the examination at any other centre within His Majesty's Dominions. Considering the disabilities imposed on the Natives of India over in the matter of their admission into the Colonies, it would not be unfair not to increase the facilities for the admission of competitors from the Colonies into the Civil Service of India. But I do not wish to take my stand in favour of my suggestion on that ground that it would be a just measure of retaliation against the Colonies for their treatment of Indians. I would simply urge the holding of the examination simultaneously in England and in India on the ground that it should be held in England because it is the governing country and we must have a certain number of people from that country with their superior education and administrative qualities for the better government of the country, and it should be held in India because the service is to be rendered in this country.

37664 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of a separate examination in India only for the Natives of India. A service recruited with such material will eventually share the fate of the Statutory and Provincial Services and come to be looked upon as an inferior Service.

37665 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am opposed to nomination, pure and simple, or to nomination combined with examination. In any system of nomination the sons of poor parents, however deserving, have generally no chance. The sons of officials are likely to get preference which would be introducing the hereditary element in the principle of selection. I am opposed to any system which might have the effect of shutting the door upon deserving youths because they are descended from poor

parents. If a census were taken of people who are at present employed in the service of Government, it will be discovered that a great majority of them are people who have risen from poverty by sheer dint of industry and merit, many of them after a heroic struggle against adverse circumstances. There is a general rise in the cost of living, and the cost of education in India has, within recent years, so much increased that it has already become beyond the means of poor parents to give higher education to their sons. If added to these difficulties a system of nomination is introduced, there is no hope for the sons of poor parents. If a man is born poor, that is an unavoidable misfortune; but if any artificial restrictions are imposed which debar him from improving his position, it must produce discontent. The best system of recruitment is the one which gives an equal chance to everyone, high or low, rich or poor, with good social connections or without them. If certain classes and communities are backward, that is a case for giving greater facilities for their education by giving scholarships, opening special schools, etc., but not for giving them preference over more deserving persons of the more advanced communities. After all, you cannot prevent the people who have a special aptitude for the learned professions from filling the majority of posts in the service of Government. The martial classes will naturally look forward to employment in Military service just as the non-martial classes will look forward to employment in the Civil Service of Government.

37666 (18). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not recommend any separate method of recruitment for the Judicial branch. The Indian Civil Service contains many examples of officers who, having adopted the Judicial line, have distinguished themselves as Judges even under the present system, according to which they enter the Judicial line after putting in a certain number of years' service in the Executive Branch. By his general education the civilian is ordinarily fitted to be able to acquit himself in any branch of the service in which he may be employed. Thus we have instances of Civil Servants holding charge of technical departments like Agriculture, Education, Police, Post Office, Finance and Commerce. Compared with this, it is comparatively much easier for a civilian to fill up a Judicial post. If the civilian makes up his mind, applies himself to a study of law and takes interest in Judicial work, no special training for the Judicial service is required. The great drawback is that the civilians generally prefer administrative work, and the Judicial service is at present not popular with the civilians on account of various causes. One of the reasons of this unpopularity is the fact that there are more prize posts in the Executive branch. Administrative work gives the officer opportunities of combining sport with duty. But the principal reason why Judicial service is unpopular is that it involves continuous sedentary work at a stretch. It also requires a patient handling to elaborate details and an application to

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the study of law for which the civilian has generally no inclination. The remedy, in my opinion, lies in throwing open a larger proportion of the appointments in the Judicial line to Natives of India, the recruitment being made partly by promotion from the Provincial service and partly by direct appointments from the practising Bar. For the small proportion reserved for the Indian Civil Service a few civilians should be given the choice of the Judicial line in an early part of their career. In order to give them a thorough grounding in Judicial work they should be made to begin at the bottom and do original case work, usually performed by Munsifs and Subordinate Judges. If a civilian were, to start with, to go through the course of reading in law which was included under the heading 'Law' in the Final Examination of 1891 as given in the footnote to Appendix VI, with the Transfer of Property Act or the Law of Mortgage added to that course, it will provide him with a sufficient stock of legal knowledge to start with in his career as Judicial officer.

37667 (15). If the system of recruitment by open competitive examination in England is retained, please state the age-limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age-limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The age-limits should be 21—23 years on 1st January. A clever Indian youth cannot take his degree earlier than 20 years. If the age-limits be fixed between 21—23 years, it would leave the Indian competitor a year or two after taking a degree at the Indian University for special preparation for the competitive examination. I should consider that the age-limits for English candidates should be fixed so as to attract candidates who have completed a University course.

37668 (19). What age-limit for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age-limits for "Natives of India" and for other natural-born subjects of His Majesty?—21—23 years for reason given against answer to question (15). It will enable the Indian competitor to take a degree before he begins the special preparation for the competitive examination.

37669 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I approve of the principle laid down by Lord Macaulay's Committee. The best proof of

the correctness of the principle is to be found in the versatility displayed by the present Indian civilian and his adaptability to be employed in any department for which he may be selected, which is in my opinion, due to the all-round general education which he has to receive for the competitive examination.

37670 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not consider that the Statutory Civil Service should be revived. It stands self-condemned. Besides in the higher services we want the Indians to be selected by the same tests as the English civilians so that there should be no ban of inferiority on them.

37671 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (a) military officers and (b) others; and give details of the latter?—I have served directly or indirectly under 8 Military officers holding the posts of Deputy Commissioners and Commissioners.

37672 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The system of recruiting Military Officers has been stopped in the Central Provinces. I do not advise the re-introduction of the system. When the Central Provinces were first formed into one Province, almost the whole of the service was manned by Military officers. The Provinces owe a debt of gratitude to the Military officers who had to do a lot of organizing work in the Province. They constructed roads and bridges, made the first Land Revenue Settlements, restored order and established tranquillity. But I consider that the system of Government by Military civilians is suitable only to unsettled or disturbed tracts or tracts inhabited by semi-civilised tribes.

37673 (38). Is the class of posts listed suitable? If not, in what direction would you suggest any changes and why?—I would suggest an increase in the number of listed posts. A separate Civil Judicial Department has been formed in the Central Provinces since 1908 only. As a tentative measure, the posts of District Judges are mostly held by members of the Provincial Civil Service who draw the same salaries as they used to draw before as Extra Assistant Commissioners. These salaries are ridiculously low. There is at present under the consideration of the Government a scheme by which the four posts of Divisional and Sessions Judges would be abolished and the Central Provinces and Berar would be divided into 11 District and Sessions Judgeships. If this scheme is finally sanctioned, I would recommend that six of these posts should be reserved for Natives of India. Five to be filled up by promotion from the Provincial Service and one by a practising lawyer. There

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are at present three Judicial Commissioners. If their number is at any time raised to four, as is not unlikely, or if a Chief Court consisting of four or more Judges is sanctioned, I maintain that one of these posts should be allotted to the Provincial Civil Service and one filled up by direct recruitment from the Bar. Of the remaining posts usually held by civilians I would recommend that five posts out of a total of 35, including 20 Deputy Commissioners (leaving out three Divisional Judges and two District and Sessions Judges), four Settlement Officers, one Director of Agriculture and one Registrar of Co-operative Societies, should be allotted to the Provincial Civil Service.

37674 (44). What should be the duration of the probationer's course in England (a) under the present system of the open competitive examination, (b) under any modification of that system recommended by you?—Two years under the present system as well as under the system of simultaneous examination recommended by me. In the case of Natives of India who pass at an examination held in India, a probation of two years in England is absolutely necessary.

37675 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction can best be spent in England, especially in the case of Indian candidates.

37676 (55). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—For candidates selected by competitive examination held in India the period of probation must be passed in England. The very journey to England and back is a source of instruction to a person who has never left Indian shores, and since the Government in England is the model on which Government in India is to be carried on, it should be a *sine quâ non* for all Indian candidates that they should have at least spent their period of probation in England and seen with their eyes how things are carried on in England. A compulsory residence in England for two years will be an obstacle in the way of the strictly orthodox Hindus only, but it is a thing which cannot be helped.

37677 (61). Is the existing system of Departmental Examinations suitable, and, if not, what change do you recommend?—I would abolish the Departmental Examination altogether, as it is altogether unnecessary. If it is maintained, I would raise the standard of the examination much higher, but lower the percentage of pass marks.

37678 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I do not think that any special steps are necessary for improving the proficiency

in the knowledge of law of members of the Indian Civil Service in general or of the Judicial Branch in particular. If the civilian can overcome his aversion to Judicial work and make up his mind to apply diligently to a study of law, no previous special training for Judicial work seems to be necessary. I do not favour a system of granting study leave to Europe at all.

37679 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial Branch? If so, please give detail?—I should make the civilian selected for the Judicial Branch begin at the bottom by working for some years as the judge of a Court of First Instance. That will give him a training which will be of great use to him when he reaches the highest posts.

Written answers relating to the Provincial Civil Service.

37680 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (a) open competition, (b) nomination, (c) combined nomination and examination, or (d) some other method? Please describe fully the system that you recommend?—In the Judicial Branch the system of recruitment is quite satisfactory. Law graduates are appointed Munsifs in the Subordinate Judicial Service and promoted to the Provincial Service on a vacancy occurring in the latter. In the Executive Branch also I would advocate recruitment by competitive examination.

37681 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable and what arrangements do you recommend to secure this object?—They are fairly represented. In the Judicial Branch you have—

27 Maratha Brahmins, 2 Bengali Brahmins, 5 Hindustani Brahmins, 3 Muhammedans, 1 Hindustani Kayastha, 8 Maratha Kayasths or Prahhus, 2 Europeans, 2 Parsis, 2 Baniyas, 1 Kshatriya and 1 Kunhi.

In the Judicial Branch none but law graduates are recruited and the classes who do not graduate in law have no legitimate cause of complaint if they do not secure Judicial posts. I would not recommend the employment of unqualified persons in order merely to secure the representation of all classes and communities. No one would think of appointing a man who has received no education in Engineering or who does not come up to a certain standard as Railway Engineer, or of appointing as Civil Surgeon a man who has not attained a certain standard of Medical knowledge. I do not see why in the case of the Civil Service alone the rule about the employment of qualified persons should be relaxed merely to secure the representation of all classes and communities. Besides, there are unfortunately so many classes and communities in India that any attempt to formulate a scheme whereby the representation of

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all classes and communities in the Government services would be secured, consistently with the maintenance of efficiency, would be hopeless.

37682 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Out of 4 Divisional and Sessions Judgeships in the Central Provinces two are allotted to the Provincial Service. The District Judges in the Central Provinces draw the same salaries as they used to draw as Judicial Extra Assistant Commissioners prior to the formation of a separate Judicial service in 1908. A scheme is at present under the consideration of the Government by which the Central Provinces and Berar will be divided into 11 District and Sessions Judgeships. When this scheme is sanctioned, I would propose that six out of the 11 appointments should be given to Natives of India, *viz.*, five to the Provincial Service and one to a member of the Bar. If the number of Judicial Commissioners is increased from three to four, I would suggest that one of these posts should be thrown open to the Provincial Service and one should be filled up by a Barrister or a pleader. Out of 29 Deputy Commissionerships (34 in List H of Appendix VI, less three Divisional and two District and Sessions Judges) and four Settlement Officers, one Director of Agri-

culture and one Registrar of Co-operative Societies, I would suggest that five should be thrown open to the Provincial Civil Service.

37683 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am not satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service. I would recommend that officiating grade promotions be given in the usual way.

37684 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I cannot but approve of the arrangement because that is one of the grounds on which a further increase in the list of posts open to the Provincial Civil Service can be justified.

37685 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(a) No, (b) Yes.

RAO BAHADUR VINAYEK MORESHWAR KELKAR called and examined:

37686. (Chairman.) You are a District Judge, second grade?—Yes.

37687. You have been employed in the Provincial Civil Service for upwards of twenty-three years and have served on the Executive as well as on the Judicial side. How many years were you on the Executive side?—The Executive and Judicial used to be a combined Service for about fifteen years, from 1889 to about 1904, and we performed both functions. After the separation I was selected for the Judicial.

37688. You think that Indians require a better chance for admission into the Service?—Yes.

37689. And you would propose the establishment of a simultaneous examination?—Yes.

37690. Would you like to see a maximum limit for Indians in the Civil Service?—Yes; I would limit the maximum of Indians in the Civil Service to 50 per cent. but I would include in that those who are given listed posts as well as the Civil Service, because I have recommended also the opening of more listed posts for the Provincial Civil Service. I consider that if we reach by both methods a maximum of 50 per cent. it would not be too much.

37691. You would like to see an extension of the listed posts, and the difference between the listed posts as extended and 50 per cent. you would give to open competition?—Yes, I would give it to open competition so as to make the total up to 50 per cent. I would not have it more than 50 per cent. I would have the minimum of the European element 50 per cent.

37692. Do you think you can better obtain the object you suggest, namely a limited increase of Indians in the Service, by means of a simultaneous examination than by means of

an examination supplementary to the one now held in England?—I consider that the opinion in the country, as well as my own personal opinion, is that there should not be a separate examination in India. We all share the opinion that eventually it would come to be looked upon as an inferior Service whatever it might be in the beginning. When the Statutory Service was introduced it was with the object that the representatives of the Statutory Civil Service should be of the same position as the members of the Civil Service; but eventually when you introduce different methods of selection people will naturally say that such a one is better than another. You might say that the Statutory Service is better than the other, but there would be a difference. What we want is that they should be on a par, and that there should be no difference of any kind so far as equality is concerned.

37693. You think that, if a separate examination were introduced, it would be inferior to the open examination in London?—It need not necessarily be, but it will come to be looked upon as being so.

37694. Why should it come to be looked upon as so if it is not so?—It might be said that these people have been only examined in India and have had no opportunities of competing along with the Indian candidates in England and the standards are not the same; and in course of time it will come to be looked upon as inferior. That is what we all expect.

37695. Do not you see difficulties in enforcing your limit if you have simultaneous examinations with one list?—No. The only difficulty is that of the proportion being increased, but in my answers I say I share the opinion with many people that the Indians will not be able to secure

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a large number of appointments in the Service, even up to the 50 per cent. I propose. That is the out-and-out maximum they may ever expect to reach. If that opinion of mine is wrong, certainly there are difficulties in the way of fixing the proportion of 50 per cent.

37696. If it were proved that, in order to carry out your restriction, you would need to overcome really serious practical difficulties would you object to such arrangements being made as would at any rate minimise those difficulties?—Yes. If you fix a percentage of, say, 50, in the list of passes the names of the Natives of India who have passed the examination, when the numbers are exceeded, need not be published. Supposing that twenty people are to pass into the Service this year, then in the published list you put only the names of the first twenty and the other names do not appear. Therefore they do not know what place they have obtained in the examination and the candidates who have not been selected will not know what their position in the examination has been. Supposing that numbers 30 to 45 are Indians, while numbers 46 to 50 are Europeans, if before reaching the figure 35 the necessary proportion had been already obtained, the others would be left out altogether, and their names would not appear at all.

37697. You do not think that the candidates who came out successful in the list, but who were passed over, would feel any sense of dissatisfaction?—They will not know the result, because in the published results you will only declare as having passed those who have secured places subject to the maximum.

37698. Do you think you could hold a satisfactory examination if the candidates knew that they are not going to be informed of the result?—Yes. The examination will be in England and I do not think any information can leak out.

37699. Do not you think that will lead to very great dissatisfaction on the part of those who enter for the examination?—I do not think so.

37700. You do not think they will mind if they are not informed what marks they have obtained?—No.

37701. You do not wish to see any separation of the Executive and Judicial functions, but you would like to see more Judicial positions open to Indians from various sources?—I have not stated that I do not want the separation of Judicial and Executive functions.

37702. In your answer to question (13) you say: "I do not recommend any separate method of recruitment for the Judicial Branch?"—That is what I mean, that I do not propose any separate method of recruitment. I have given my experience. By experience and reading they can acquire a very good knowledge of Law, sufficient to acquit themselves as well as Barrister Judges.

37703. You would like to see more Judicial positions open to Indians than are open at present?—Yes.

37704. You would like to see some from the Provincial Civil Service?—Yes, and some by recruitment from the Bar.

37705. And some from the Indian Civil Service?—Yes.

37706. What kind of proportion would you like to see from the Bar?—I do not recommend too many being recruited from the Bar because the best people at the Bar are not generally available for employment in the Government Service. In the case of recruitment for the Provincial Service we already appoint people who have had a legal training beforehand, and there is no reason why people who have been in the Service and have acquitted themselves well should be passed over for practising Lawyers. Those who have acquitted themselves well as Judges should be dealt with liberally.

37707. Why do you suggest recruitment from the Bar?—To introduce a little fresh blood and also to introduce some people who have distinguished themselves at the Bar; but I would not select too many of them.

37708. Do you think that successful members of the Bar would be likely to enter the Service if opportunity were afforded to them?—No. For instance, in the Central Provinces they will accept a Judicial Commissionership or a Divisional Judgeship but will not accept a District Judgeship.

37709. Do you think you could get a qualified man from the Bar to accept one of the more subordinate positions in the Judiciary?—No; we shall only get middle-class men to accept subordinate positions.

37710. So that you would prefer to see recruitment from the Bar of men of high standing to the highest posts of the Judiciary?—Yes, because for the Judicial Service we already take the men who commence by practising at the Bar and add to their legal knowledge by the experience of Judicial work.

37711. I gather from your answer to question (38) that you would like to see an increase in the number of listed posts for Indians to the extent of six Judgeships and five senior posts?—Yes. I have confined myself to this Province only. I am informed that the Central Provinces Commission itself has recommended five out of eleven appointments to be given to Natives of India, and I would simply make it six.

37712. Have you any views to offer us as to how the present methods of nomination could be improved?—Personally I am opposed to any system of nomination. My experience is that whenever we have had any system of nomination there has always been the danger of the hereditary element coming in. I have had a good deal of experience of the European officers in the Central Provinces and especially of the Police Service. There used to be no Police examination, and most of the District Superintendents of Police who came into the Police Service were all sons of distinguished officers of the Central Provinces Commission, and the same thing happened in other Departments. It was either his father's official connection or his father's wealth or his father's influence as a landholder that prevailed in making the nomination. I have more radical views. I consider that we should only find scope for employment for the best talent.

37713. You would like to see all form of nomination removed?—Yes.

37714. And to trust to open competition?—Yes.

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37715. But a great many of your proposals would necessitate some form of selection or nomination; all appointments from the Bar, for instance, would be by nomination?—Yes, they would be by nomination.

37716. And appointments from the Provincial Service would be selected appointments?—I do not think that is a case of selection at all; it is the promotion of people whose merits have been tried. Competition I propose only for direct recruitment, for taking a man in the beginning. The case of people whose worth has been tried is quite different from the ordinary case.

37717. If you object to the method of nomination by an individual, subject as you say it is to abuses, what would you say to the institution of a scheme by which a Board of Nomination was established, composed partly of Government and partly of non-official members, possibly elected representatives of the Province?—I would have no objection to a scheme of that kind. The only question between me and other people would be the constitution of the Board. Instead of non-official members I would have the heads of educational institutions on the Board because I would rather have them than other people, as they know the students.

37718. And you think that if a Board of that character were instituted, nomination would, on the whole, probably be carried out without any abuses?—Yes; I am prepared to concede it to that extent.

37719. We have heard a great deal from witnesses in this Province about overwork in the Judicial Branch of the Service. What is your experience of that?—We are an overworked body. Of course, from statistics we are not able to make out a case of overwork. I have about twenty-three years' service in judicial work during which I have tried cases in many districts, and I used to have a lot of cases before, but I cannot get through the same number of cases now, as formerly, not because I am growing old, but because the cases are more protracted. Owing to the strength of the Bar litigation now takes more time than formerly. Although from the statistics it does not seem to be as large as one might have the right to expect, we are a very much overworked body. Formerly we could examine about 15 to 20 witnesses, but to-day we cannot get through more than two or three or four a day. Although I am considered to be fairly prompt in the despatch of my work I have enjoyed no holidays. I do not work very long hours. Each man has a different way of working; some people work long hours, 12 or 14 a day, but I prefer to work on holidays. Therefore I have hardly known a holiday.

37720. Your powers of controlling the Bar have hardly kept pace with the Bar's powers of arguing; is that it?—Yes, but that is a thing which it is too late in the day to stop now.

37721. Do you think that those who are younger and are coming on after you will be able to rectify that evil?—I think they will be worse off than we are.

37722. Your only suggestion is an increase in the staff?—Yes, I think that follows.

37723. In your reply to question (61) you say you would abolish departmental examinations altogether?—Yes.

37724. Why do you say that?—To people who have had the education that members of the Civil Service have received, a petty examination is of no value. They cram up certain sections of the Criminal Code and certain sections of the Evidence Act, and that is altogether superfluous. I have said that a lower percentage of pass marks should be fixed. If you want to have any examination at all it should be really an examination that would test the candidate's knowledge of the Acts, to show whether they have studied them. In fact I would give them all the books. At present there is one paper with books and one without books, and I say there should be no paper without books at all. You do not want people who have a knowledge of the law in their heads, but people who can apply the law with the aid of books. Therefore I would give them even annotated books, for the matter of that, and see what use they can make of those books.

37725. You would like to see the examination take a rather more practical form?—Yes, otherwise I would abolish departmental examinations in their present form altogether.

37726. You do not think the departmental examination is of any use at present?—No.

37727. But it might be of use if revised and introduced in a more practical form?—Yes.

37728. (Sir Murray Hammick.) You are a member of the Provincial Civil Service holding a listed post?—No; I held a listed post, officiating, about five or six times.

37729. But you are a District Judge in the Provincial Service?—Yes. Our District Judges are like Subordinate Judges in other Provinces; we are only District Judges in name.

37730. Have you got Criminal powers?—No.

37731. Only Civil powers?—That is all, and our Civil jurisdiction is divided between the District Judge and the Divisional Judge, who is interposed between us and the High Court. It is an anomalous position.

37732. Your recommendation is that officiating grade promotion in the Provincial Service should be given. Have you thought what a great deal of trouble that would give to the Account Department?—I think it is better that the officials of the Finance Department should have more work to do than that we should be denied promotion for deserving officers.

37733. But why should you get officiating grade promotion when your work does not alter?—Why should any Service get officiating promotion?

37734. What other Service gets officiating promotion?—The Imperial Service gets it.

37735. If it were taken from the Civil Service I suppose you would not want it for the Provincial Service?—I want it for both. Because we do not get it, I would not deprive other people of what they actually get. I do not want to act in that spirit.

37736. Have you had many transfers in your time in the Provincial Service?—Mine has been a specially unfortunate case, but it is not a typical

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case. It is due to the fact that I have been selected for officiating posts.

37737. In those transfers have you found that you have lost a good deal of money owing to the expense of transfer?—Yes. The officiating promotion that I got was only an additional dignity and brought no remuneration to me.

37738. All the money has gone in the cost of the transfer?—Yes. In three months I would get about Rs. 800 officiating allowance and for one journey I had to pay Rs. 300 and Rs. 300 for the journey back.

37739. The allowances you get when you are transferred are not enough to cover your cost of moving?—They are absolutely insufficient. For instance, I get only double first-class fare, which does not cover more than my own and my wife's travelling expenses.

37740. One of the changes you would recommend is that the allowance for transfers of Provincial Civil Service officers should be raised?—Yes. The actual expenses might be given. We do not want to make any profit out of travelling allowances.

37741. Do you travel as a first-class officer?—Yes, but that has been only a recent change. Up to three years ago officers above Rs. 600 only used to get first-class allowances, but now all District Judges get them.

37742. If you get those allowances for transfers, and you get the grade promotions, and you get these additional listed posts you ask for, do you think the conditions of Service in the Provincial Civil Service would be fair enough?—Yes; they will be excellent. There is only one drawback, and that is, that the Provincial Service is recruited from the Subordinate Judicial Service and the Subordinate Judicial Service is miserably paid. The Judicial Commissioner and the Chief Commissioner are all aware of the difficulty in getting recruits for the Subordinate Judicial Service. We have Munsifs at Rs. 150 and Rs. 175, and Rs. 200 and Rs. 250.

37743. You want to see the Munsifs' pay improved?—I would abolish the petty grades of Rs. 150 and Rs. 175 and simply have Rs. 200, Rs. 250 and Rs. 300. Then the bar would be removed and the Provincial Service could be recruited from the Subordinate Judicial Service.

37744. You would like to see the Munsifs in the Provincial Civil Service?—Yes. They have had a good education, they know the Law, and they are graduates, and they should come in at once.

37745. If that were done and the other changes made you think the Provincial Service would be a good enough Service?—Yes.

37746. (Mr. Chaudal.) You told us just now that from 1889 to 1904 you did Civil Judicial, Criminal Judicial, and administrative work?—Yes.

37747. From 1904 to the present you have been doing only Civil work?—Yes.

37748. Did that scheme of separation involve any larger expense? Were there additional posts required for doing the Executive portion of the work, additional officers employed?—Yes. Formerly we had a very small number, but now we have got a larger number on the Judicial side and on the Executive side.

37749. Did you find yourself more overworked when you were performing all the three functions than you are overworked now?—Under the old system we were both overworked and work was not well done.

37750. You were overworked and the work was not so well done?—That is so.

37751. Is it your impression, and the impression of those engaged in the Judicial Service, that the separation has effected an improvement in the disposal of Civil Judicial work?—Yes; it is of a much better quality.

37752. Supposing that some process were adopted for separating the other two functions left in the officers, what is the opinion of your Service, or your own opinion, as to whether it would be an improvement or not?—The question of the separation of the Judicial and Executive functions is a much debated one, and it is a matter I have not studied very carefully. I should think that the magisterial functions might be given to the Civil Judicial people who already do Judicial work. Then there would be no increased expenditure to Government. But if you have three Services, the Collectors' line, the Magisterial line, and the Subordinate Judicial line, the expenditure would be three-fold. If you combine the Civil Judicial and Criminal Judicial and have the Executive by itself I think the change might be effected.

37753. There would be no difficulty, in your opinion, about the quality and efficiency of the work; you do not think it would suffer?—I do not think so. I think the people who do Subordinate Judicial work will be able to do Subordinate Magisterial work better than the present Executive side.

37754. From your experience in performing the duty of an Executive officer do you think that the performance of that work would suffer on account of your not having these criminal powers?—I think so, at least in the beginning. The Executive officers will lose their influence a great deal.

37755. Prestige you mean?—No, not prestige; their ability to carry out a lot of Executive matters. It means loss of prestige too.

37756. May I know in what directions you are thinking of the quality of the work suffering?—In the matter of many things in which the Law does not allow the Executive officer to impose punishment, for instance in sending children to school or enforcing sanitation or other matters which really conduce to good government and welfare of the people. The power of the Executive officer will be impaired in every way; he will be less feared.

37757. Can you give me a concrete instance of the way in which your work as an Executive officer would suffer?—I might go to a village and ask the parents of children to send their children to school, and although I may not use my magisterial powers in doing so, still the fact that I possess those powers is enough.

37758. Is that a piece of work which it is your duty to do as an Executive officer?—Yes; the Executive officers' duties are manifold. It is their duty to see that boys attend school regularly and that the fees are collected.

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37759. Is that the duty of the education officer or the Tahsildar?—Both. The Educational officer is the Technical Department man but without the help of the Executive officer he would be powerless in many things. He has always to seek the help of the Executive officer.

37760. I fail to see how your having Criminal jurisdiction assists you to send boys to school?—I do not mean to say that the power is exercised, but the very fact that a person has that power makes a man's work more easy.

37761. Supposing a Judge in your position, without having Executive power, gives that advice to parents, they are not likely to disregard it because it comes from a Civil Judge and not from a Criminal Judge, are they?—They will take it like that.

37762. What I really wish to ask you is this. In the performance of the administrative portion of the work which a Revenue Officer has to do, no criminal powers are actually needed, are they?—No. Whatever Criminal powers are required are provided in the penal provisions of the different enactments by which you can have a trial before a Magistrate.

37763. (Mr. Madge.) In your answer to question (8) you say it is only the richest people who can afford to send their sons to England to compete for the Indian Civil Service examination and take the risk of a failure. No doubt that is largely the case, but have not you come across or heard of Indians who have risen in independent careers to positions of great eminence and disclosed splendid characters, who were not really poor and could have gone to England had they chosen?—That is to be found in every walk of life. The only question we have to consider is whether there is an obstruction in the way or not.

37764. In all countries in the world rich and poor fare differently, but you have said that it is only the richest and you make no exceptions. Are not there exceptions to this rule?—Poor people cannot go to England. The rich may have opportunities in other conditions of life to go, but the poor class have not that opportunity. The only way to get into the Civil Service now is by going to England.

37765. But there have been sons of fairly wealthy families who could have gone to England but have chosen not to do so?—Certainly.

37766. Consequently it cannot be quite correct to say that it is only the richest people who can afford to send their sons to England. There are other people who are rich and have not done so from choice?—I do not mean to say that all rich people will send their sons to England and that the only prospect they have is to send their sons for the Civil Service.

37767. I do not want to press the point. I only ask the question because you used the word "only." You do not recommend any separate method of recruitment for the Judicial Service; is that because you believe Civilian Judges as they are make very good Judges?—I do not say they do make good Judges, but I believe they can make good Judges having regard to the example of people who have been good Judges. One might mention the name of a most distinguished Judge of the Bombay High Court, for instance.

37768. Do you think that sending Indians to England at any age, or at a specially young age, has the effect of alienating them from the sympathies of their countrymen here?—I do not think so.

37769. (Sir Theodore Morison.) Have you any idea how many Indian students are at the present moment studying in England?—I have no idea, but I think it might be about 600 or 700 students.

37770. The last figures put it at 1,500 to 1,700?—Mine was only a rough guess.

37771. Do you know what they are studying for?—The great majority of them are studying for the Bar, and some are studying for technical Professions and University Professorships, but very few are studying for the Civil Service. Some are studying for the Indian Medical Service.

37772. And some are in the Medical Schools?—Yes.

37773. Do you think that the persons who are studying technical matters universally succeed whenever they come back here?—Yes, but there are not very many openings for them in the country under present conditions.

37774. Do Barristers do very well here nowadays?—Only a few. There is room for the best, of course, in every profession.

37775. For the Indian Medical Service I suppose only a certain number succeed?—Yes.

37776. Do you think that in any of these professions the chances of success are very much worse than they are in the Indian Civil Service?—No. If a man competes for the Indian Civil Service and fails he has failed, but in the other departments the men come out, and a medical student for instance might come out and carry on the practice of medicine, or a man could come out as a Barrister if he failed in the Indian Civil Service.

37777. And the technical people?—They do not get much chance, but they still have a technical knowledge which will always pay well.

37778. Has it a value in these Provinces?—Not the value which it should have, but we expect the value gradually to increase.

37779. Do you know from experience any who have held technical scholarships who have been sent home by scientific societies?—I know two or three instances. For example, there is one in the Mining Department of the Central Provinces who is getting about Rs. 300.

37780. Do you mean a Department of the Government?—Yes, the Mining Department is a department of Government. Some people go to the Agricultural College and get employment under Government.

37781. Have any of them succeeded in getting into industrial careers in this Province?—I know only one or two instances. I do not know of any people who made any very great success from their technical education.

37782. An English education does not seem very profitable in pounds, shillings and pence?—It depends on the quality of the education they receive. Those who have received a superior education do get on, but not in the way they ought to get on. They cannot get on much in the Technical Departments on account of the lack of industrial

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activity in the country. But that industrial activity is increasing, especially in the direction of ironworks, and will furnish more room for enterprise and there will be posts for these people.

37783. (*Lord Ronaldshay.*) Are you a graduate of any University?—I am a graduate of the Calcutta University.

37784. Not of the Allahabad University?—No. In my days the Allahabad University did not exist.

37785. How did you get into the Provincial Civil Service?—I got in first of all as a schoolmaster.

37786. Through the Subordinate Service?—I came in as a schoolmaster on Rs. 60 and gradually became Head Clerk of the Deputy Commissioner's Office, then Clerk of the Court, and then I was taken into the Provincial Service. The name Provincial Civil Service did not exist at the time when I was appointed an Extra Assistant Commissioner.

37787. We have been told that if a graduate of the present day wishes to get into the Provincial Civil Service practically he has to go about asking for chits to recommend him. Is that your experience?—That is the only way in which he can get in. It may be chits from people or it may be on recommendation from them. If I happen to be high in the Government Service and I recommend a man to the officers they take my word that he must be a good man. Or I may recommend my son or the son of a rich gentleman.

37788. I gather from what you said that a certain number of these ambitious young men have to come to you for testimonials?—No, not to me, but to people like myself, either to me or other officers, European or Native, people of position.

37789. Nobody has applied to you personally?—I do not think I have enough influence perhaps. I have recommended the application to people who were bound to get into the Government Service because all graduates in Law are admitted. As District Judge candidates for employment in the judicial service have to forward their applications through me and I have given my recommendations in the usual formal way in my official capacity as District Judge.

37790. I see you recommend that the Provincial Civil Service should be recruited entirely by a competitive examination?—Yes. It is a thorough-going recommendation which might not meet with the approval of everybody, but it is my personal opinion.

37791. You think that would be a better system than the present one?—Yes, I consider that the system by which deserving people do not get a chance unless they have high connections or associations is not a proper system.

37792. (*Mr. Standen.*) You told us that some years ago the same officer exercised Civil, Criminal, and Revenue functions indiscriminately?—Yes.

37793. That is to say, an Assistant Commissioner one year might be trying Civil cases as a Small Cause Court Judge, and next year he might be working as Sub-divisional Officer, doing no Civil work, or very little?—No. In the old

days one used to do all kinds of work every day. I used to do office work for a couple of hours and then admit a document to registration and then do Criminal work and afterwards begin Civil work.

37794. For some years past officers have been specialised for the Civil Judicial work?—Yes.

37795. How many years is it since the members of the Indian Civil Service have been specialised for Judicial work and employed solely on that work?—It may be two or three years.

37796. Do you think that that has had any effect upon the quality of the work turned out by them?—It is too early to say, as they have not had much experience. They are appointed District Judges after they have had only three months or so of experience of judicial work. It is only for want of men. Gradually that will disappear.

37797. (*Mr. Thakur.*) You say that on account of the separation the cost has risen, but was the rise in cost entirely due to the separation or was it due to the general increase in the work and the better quality of work demanded?—Of course it was principally on account of the increase in work and the work becoming more difficult.

37798. (*Mr. Mahdi Hasan.*) You said that District Judges are now treated as first-class officers with regard to travelling allowances?—Yes.

37799. Extra Assistant Commissioners are members of the Provincial Civil Service and get the same pay as District Judges, do they not?—Yes.

37800. Are they treated as first-class officers for the purpose of travelling allowances?—Not all Extra Assistant Commissioners. District Judges draw pay from Rs. 500 to Rs. 800, while Extra Assistant Commissioners begin at Rs. 200. There is no similarity between the two.

37801. But those who draw their Rs. 500?—They are on a par. In fact they used to be members of the same combined Service, but a few have been placed on one side and a few on the other.

37802. Do they get Rs. 5 travelling allowance per day?—No, they get that from Rs. 600. I think they get first-class Railway fare, but I am not sure about the daily allowance.

37803. Supposing they do not get as much as you do, do you think they should be all on a par with you?—I think so. The only thing is that District Judges are somewhat superior to Extra Assistant Commissioners. The present District Judges are really District Judges in name. There is a scheme already under consideration by which there will be real District Judges. The present District Judges will be reduced to the position of Subordinate Judges if the scheme is sanctioned and they and the Extra Assistant Commissioners will then be on a par. At present we get less pay and our status is less, but we exercise greater powers and occupy a more influential position.

(The witness withdrew.)

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RAO BAHADUR WAMAN RAY. M. KOLHATKAR.

Written answers relating to the Indian Civil Service.

37804 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment for the Indian Civil Service by open competitive examination in England works, I think, as well as any human system can be fairly calculated to work. It gives, generally speaking, an efficient class of public servants, and the number of black sheep to be found in the Service is not at all extraordinary. I accept it as generally satisfactory in principle.

37805 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system is, however, faulty in detail, inasmuch as it generally fails to produce competent District and Sessions Judges and District Magistrates. The reason is that in the scheme of the excellent general education given to Civil Servants, it is not possible to give them any but a superficial knowledge of civil and criminal law. The Civil Law is, like Medicine, a distinct and difficult branch of knowledge, requiring constant study of a lifetime to keep the knowledge up to date. The work which District and Sessions Judges have to do is very onerous and responsible, as these officers have to correct the mistakes committed by the Subordinate Magistracy and the Civil Judges and have therefore to decide difficult cases in which knotty points of civil and criminal law have to be considered and correctly settled. It is the proper administration of equal justice that has been, and ought to be, the pride of British rule; but it is only the High Courts that have up to now upheld this special character of the rule. The lower Civil Judges and Magistrates have been and are, with a few honourable exceptions, persons more or less ignorant of law, and as these are made to sit in judgment over trained and experienced Judges of Subordinate Courts, administration of justice in their hands has become more or less a matter of uncertainty. The alteration that I have to suggest is that two divisions—Executive and Judicial—should be made of the Indian Civil Service. Those who wish to take to the Judicial Branch of work should be separated before the examination from those who adopt the Executive Branch. Candidates of the Judicial Branch should be required to obtain a certain percentage of marks in the English Law and the Roman Law; and for the examination which takes place at the end of the period of probation they should be made to read along with the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act, Commentaries by Gour, Prinscp, and Woodroffe and Amir Ali on those three codes respectively. Their optional subject in this examination should be Hindu and Muhammadan Law. Those candidates who wish to adopt the Executive Branch should pass the final examination at the end of their probation

period in the three codes and commentaries mentioned above. After the results of the Civil Service examination are declared, no interchange of officers from one branch into the other should be allowed. But each officer must be made to stick to the branch which he chose before the examination. The initial knowledge thus gained, supplemented by that required for the departmental examination in Civil and Criminal Law which every officer has to pass in India within, I believe, the first two years of taking up office, and also by the knowledge gained every day by the actual doing of case-work in court after the first six months which should be spent at the rate of three hours a day in watching alternately the court-work of an experienced Magistrate or Civil Judge, will give the Judicial Civil Servant a considerable proficiency in Civil and Criminal Law, care being taken that he is required to read for the departmental examination the Indian case-law as contained in the last five years' volumes of the Indian Law Reports of the High Courts. No Judicial officer should be appointed District and Sessions Judge until he has done criminal work in the subordinate courts for four years and civil work for five more years. The knowledge thus acquired must be increased during all this while by the reading of the case-law of the High Courts up to date, so that adequate competency may be gained in about ten years' time. Officers who take up the Executive Branch should pass the departmental examination in all the principal Criminal Acts, (inclusive of those Acts and Commentaries which they have studied during their probation period) and should also be required to know all the criminal case-law as contained in all the Indian Law Reports of the High Courts of India. No executive officer should be made a magistrate of the district until he has done magisterial work in the subordinate courts for at least five years. Great patience and plodding industry are required for the accomplishment of the work required of the Judicial Civil Servants. The greater portion of the Indian Civil Servants are generally to be found lacking in these qualities, and self-love makes members, specially of the Executive Branch, when corrected, fall into the habit of passing light remarks upon the good work of the High Courts, not caring to learn that it is those High Courts, which they thoughtlessly condemn, which are the great British institution which has really endeared itself to the people as the bulwark of their liberties. Those therefore who indulge in the adverse comment ought to consider twice how they thereby make none but themselves odious to the people.

37806 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system of recruitment by open competitive examination in England is not equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty. The expensive visit to England, and the still more expensive stay there for two or three years for the purpose of preparation for a difficult examination in a stiff

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foreign tongue like the English, on the mere chance of passing that examination, are by themselves great disadvantages to Indians, and it is ordinarily only sons of the rich that can afford to undertake that visit and that stay. The number of such people must of course be small. Then there are some rare students who are so sure of their surpassing intelligence that they will not hesitate to borrow for the purpose of meeting the expense of the visit and the stay. But their number must be smaller still. So the system of recruitment by open competitive examination in England has the appearance of being devised specially for the purpose of preventing a large number of Indian candidates from appearing at the examination. The alternative, therefore, I recommend, is a system of a simultaneous examination in India which should be, in all respects, identical with the open competitive examination in England.

37807 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the open competitive examination for the Home Civil Service with that for the Indian Civil Service is to the advantage of Indian interests. For by passing only one and the same examination admission is gained by the Indian students to the Home as well as the Indian Civil Service. But it is not to the advantage of Indian interests that the examination for the Colonial Civil Service should be joined with that for the Indian Civil Service, for the simple reason that Great Britain is powerless to enforce upon the Colonies the acceptance of Indian officers.

37808 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—As I do not consider the present system of recruitment by a competitive examination in England to be satisfactory in principle, I have proposed a simultaneous identical examination in India in answering question (3).

37809 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I recommend with all my heart a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty. To secure perfect equality in the status of the officers recruited in England and in India, I propose a simultaneous examination which is identical in all respects. The question-papers, the examination, the time of the examination and the age-limits of candidates in England and India should all be identical. There is no reasonable fear for a long time to come that the simultaneous examinations, if allowed, would have the effect of swamping the Service with Indian officers. For the two classes of candidates—English and Indian—have to start at the outset under unequal conditions, the latter having to overcome the very serious disadvantage of having to learn a difficult foreign

tongue like the English in addition to getting up the several other subjects of the examination in a country like India, where the character of the education imparted is alleged to be so different from that of England. The aggregate number of the successful Indian candidates in England and India will not exceed, I think, a half of the total number of candidates passed in England, and such a result will certainly be long in coming. But if, contrary to all expectations, it comes sooner, it would be perfectly open to English statesmanship to devise means to prevent the apprehended swamping.

37810 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not recommend recruitment for a fixed number of vacancies in the Indian Civil Service cadre of Natives of India by means of a separate examination in each province or group of provinces in India. But I have proposed, as a tentative measure, in my answer to the next question, (8) a system of recruitment for one-fourth of the vacancies in that cadre.

37811 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (a) nomination, (b) combined nomination and examination, or (c) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I approve of the simultaneous examination and disapprove of the separate examination in India. I am not in favour of (a) nomination or (b) combined nomination and examination as a means to recruitment, for I am convinced that nomination is sure to lead in this country to favouritism, incompetency and heart-burning. Those in whose hands the patronage and nomination would lie are often persons who are more or less ignorant of the real state of the country, and undesirable nomination therefore is to a certain extent sure to be made by them. Examination first, and nomination afterwards, might improve matters a little bit, but those who must be passed over for the purpose of nomination in favour of other candidates who stand below them in the examination may have a just cause of grievance. If mere examination cannot give satisfactory results in all cases, nomination, too, is not likely to be free from that same adverse comment. There is, therefore, no reason to prefer recruitment by nomination, or by nomination and examination, to recruitment by the royal road of examination, which even in a country like England is found most suitable. Although I do not recommend a separate examination for the express purpose of recruitment for a fixed proportion of the vacancies in the Indian Civil Service cadre, I have to propose a method

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of recruitment as follows:—I would, for the present, make the number of listed posts equal to, say, one-fourth of the (executive and judicial) posts belonging to the Indian Civil Service cadre, and fill the whole number of executive vacancies and half the number of the judicial vacancies from persons who have come up first in the year's L.L.B. or B.L. examinations of the Universities of Calcutta, Bombay, Madras, Allahabad and Punjab. If there are more vacancies than five, I would fill them from among those five persons who stand second in the list of the successful candidates of that year at the same examination, and so on. I would fill the other half of judicial vacancies from distinguished members of the Bar of the Province to which the vacancies belong. It is no doubt desirable that all classes and communities should be represented in the appointments to be made to posts in the Indian Civil Service. But fitness is the criterion that should be looked to in the first instance. It may be that for some time members of a certain community or communities may not be able to get posts in any large number or even at all by way of a competitive examination. But before long healthy rivalry is sure to be excited among all communities who care to seek Government service, with the result that they will all gradually come to share in that privilege. Till that time it ought to be the bounden duty of Government to faithfully stick to the principle of fitness, and fitness alone. If it does so, one may almost be sure that it will incur no unpopularity on that account. Unpopularity is caused by devious ways and not by any straightforward course which is well understood of people.

37812 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—The present rule is that as many Natives of India as are able to pass the Indian Civil Service examination by open competitive examination in England should be allowed to enter that Service without any limit. This examination in England being found to be a great impediment in the way of the Natives of India, an identical examination in every respect is sought in India by Natives of India, who are further prepared to admit that the period of probation should be spent in England. At this competitive examination all Europeans, who are only statutory, and not real, Natives of India, are to be allowed to compete. So, what is prayed for is the creation of only one more centre for the examination. No advantage, is claimed by Natives of India which they are not prepared to share with Europeans, and therefore no advantage should be allowed to the Natives of England which they are not prepared to share with Indians. I therefore consider it but just that, although I am in favour of the part recruitment of the Indian Civil Service by a competitive simultaneous examination in India, Natives of India should still be eligible for appointment in England. It is a right which they would not lightly allow to be lost, especially as since the day the great enactment of 1833 was passed by the British Parliament there has been, in theory at

least, no sacrosanct line of demarcation between any posts under the Government of India.

37813 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would regard the system of selection in India which I have described in my answer to question (8), and which I am prepared to recommend for young men who are Natives of India, as being in lieu of the present system of promoting to listed posts officers of the Provincial Civil Service. I have to recommend no alterations in the conditions governing the Provincial Civil Service.

37814 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—What I have to say in answer to this question has been already said in my answer to question (2). I do not recommend any separate method of recruitment for the judicial branch of the Indian Civil Service.

37815 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposal that you wish to make in regard to this matter?—I would alter the definition of the term "Natives of India" so as to include subjects of allied Native States of India and to exclude the children of parents one of whom at least was a permanent resident of the British Colonies which give no free admission to Natives of India into their territories.

37816 (13). If the system of recruitment by open competitive examination in England is retained, state the age-limits that you recommend for candidates at such examination, giving your reasons?—If the system of recruitment by open competitive examination in England is retained, I would recommend that the present age-limits for candidates at such examination be also retained. I consider it desirable that such a candidate should, if possible, become a graduate of an Indian or English University before he goes up for the Civil Service examination, and that he should have at least two chances for passing this examination. The Universities in India have now made it a rule that no candidate should gain admission to them unless he has completed his 15th or 16th year. So no one can become a graduate until he has completed his 19th or 20th year. The preparation for the Civil Service examination would take up at least two years more, so that it is only at the completion of his 21st or 22nd year that the candidate would be able to first present himself at the examination. The present age-limits, there-

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fore, which are 22—24 years, should be left untouched.

37817 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—The most suitable age at which junior civilians recruited in England should commence their official duties in India is, in my opinion, 24 or 25 years. Before that age very few are able to understand the world and take a correct view of things.

37818 (15). What age-limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty?—The age-limits for the open competitive examination in England should be the same for the Natives of India as for the Natives of the United Kingdom, and I have given my reasons for this view in my answer to question (13). 23 to 24 years is the age-limit that would best suit the Natives of India. I see no reason to recommend any differentiation between the age-limits for Natives of India and for other natural-born subjects of His Majesty.

37819 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks proscribed for the open competitive examination?—I would recommend small alterations in the authorised syllabus of subjects and marks proscribed for the open competitive examination. I would introduce the subject of Indian History and assign to it 500 marks. I would also assign 1,000 marks each to Sanskrit language and literature and Arabic language and literature. Sanskrit and Arabic are difficult languages, and seeing that the dead languages—Greek and Latin—are each assigned 1,100 marks, it is but just that Sanskrit and Arabic should each carry 1,000 marks.

37820 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates?—No differentiation in the subjects for the open competitive examination in England is desirable between Natives of India and other candidates.

37821 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I do not consider it necessary that certain posts should be reserved, especially by statute, for officers recruited to the Indian Civil Service. All posts are now open to them.

37822 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do consider it necessary that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. A proper portion of

the higher posts included in the Civil Service cadre will of course go to the Natives of India who have passed the open competitive examination in England. I have already proposed one-fourth of the posts included in the Indian Civil Service cadre to be given to holders of listed appointments. Until the simultaneous examination is granted, it would both be premature and difficult to fix the proportion of the posts in the Indian Civil Service cadre to which Natives of India might properly be appointed. When the simultaneous examination comes in, the holders of listed posts may perhaps disappear from service altogether.

37823 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India.

37824 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived. It was a system of nomination, and nomination in any form is distasteful to me.

37825 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system of recruiting military officers in India for posts in the Indian Civil Service cadre did once exist in my Province. But I do not advise its re-introduction, as it is in my opinion unsuitable to the growing needs of the present days of settled government. The Indian Civil Servants are, I think, a better class of Civil Servants and are more suited to the present times.

37826 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—Until the simultaneous examination is granted, or the system proposed in reply to question (8) is introduced, the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts to which members of the Provincial Civil Service can properly be appointed, is not unlikely to be considered a good one. It gives the recipients of the listed posts a taste of the responsibilities of high office and promotes good feeling between the Provincial Civil Service and

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the higher service. It creates a healthy rivalry between the two services and gives an object-lesson to make it clear that the promises contained in Parliamentary Statutes and Royal Proclamations are not merely vain words. The listed posts, however, come to the Provincial Service late in life, when energies generally commence to decline, and the treatment received from brother officers of the higher service is not of the best. There may be a latent feeling that the Provincial Service officer is after all only an interloper; but if it at present exists, it is sure to gradually wear away in course of time when the sight of persons admitted to listed posts becomes common. The number of listed appointments should be increased to one-fourth of the total number of appointments in the Indian Civil Service cadre.

37827 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—I shall be satisfied with the present rule that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts, only if it is restricted to recruiting from the Bar higher officers of the Judicial Service. I am prepared even to extend the rule to more than a quarter of the listed posts, if it is so restricted.

37828 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—I am not satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service. The merging has resulted in my province in a reduction of the original salaries of some of the listed appointments within the limits of the salaries allowed to the Provincial Civil Service. When the salaries are so reduced, one forgets that he holds a listed post and the moral influence of it is gone. There were only two Small Cause Courts in the Central Provinces when these posts were held by Europeans. Their salaries were 1,000 and 800 rupees, respectively. But they have now been merged in the Provincial Civil Service, with the result that their present salaries are respectively 400 and 300 rupees only. The same is the case probably with the two appointments of Small Cause Court Judgeships in Berar, and yet these four posts are now, as formerly, shown separately in the Provincial Civil List, but for what purpose exactly it is difficult to see.

37829 (27). Is the class of posts listed suitable? If not, in what direction would you suggest any changes, and why?—The class of listed posts is suitable. But they are only six out of the total number (94) of appointments ordinarily held by the Indian Civil Servants in the Central Provinces. The number should be increased to one-fourth of that total number, and should include one post of Commissioner, one post of Excise Commissioner, one post of Secretary (Third Secretary) to the Honourable the Chief Commissioner, and one post of additional Judicial Commissioner.

37830 (28). Do you consider that candidates recruited for the Indian Civil Service

by open competitive examination should undergo a period of probation before being admitted to the Service?—I do think that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service.

37831 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I would give only one year's probation, as at present, to the successful candidates. Those candidates who have chosen the judicial branch of work should have the following course of study prescribed for their Final examination:—

	Marks.
1. The principal vernacular language of the province to which the candidate is assigned	400
2. Indian Penal Code with Gaur's Commentary	400
3. Code of Criminal Procedure with Prinsep's Commentary	175
4. Code of Civil Procedure with O'Kienly's Commentary	175
5. The Indian Evidence Act with Woodroffe and Amir Ali's Commentary	200
6. Mayne's Hindu Law and Amir Ali's Muhammadan Law	400

The candidates who take up the executive branch should pass in all these subjects except (4) the Code of Civil Procedure and (6) Hindu and Muhammadan Law. But they should read instead Indian History (with 300 marks) and Political Economy (with 275 marks).

37832 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty?—No differentiation is necessary between the course of study for probationers who are Natives of India and the course of study prescribed for other natural-born subjects of His Majesty.

37833 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—The probationers' course of instruction could best be spent in England, and this answer is equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty.

37834 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—I do not think it desirable to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian Services recruited in England.

37835 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of

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instruction for the whole or portions of the first two years of service at some suitable centre?—I do not think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre.

37836 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—What I have to say about the training of junior officers of the Indian Civil Service has been already said in my reply to question (2) above.

37837 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—There has been deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service. There are now very few men who can freely converse in the Indian language of their district. The chief cause is that their Native subordinates in all grades of service have now sufficient knowledge of English to be good interpreters, and their number of visitors also is growing every day in a knowledge of English. They therefore naturally hate the labour of learning a vernacular thoroughly. Another cause is that they can now go oftener to Europe than formerly, and for all these reasons their proficiency in the study of the Indian languages becomes less and less every year. The withholding of his promotion until an officer is well able to talk the vernacular of his district fluently is perhaps the only way of removing the evil.

37838 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—What I have to say in respect of improving the knowledge of law of the Executive and Judicial officers of the Indian Civil Service has been all said above in my answer to question (2).

37839 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Beyond what I have said in my reply to question (2) above, I do not recommend any special course of study in law in India for officers selected for the Judicial Branch. Law is a subject the study of which never ends. The knowledge of it has to be kept up to date by constant reading.

37840 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so,

please give details?—I do not recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch beyond what I have already said elsewhere in my answer to question (2).

37841 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty.

37842 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—I have recommended the introduction of a scheme of direct recruitment in India for Natives of India, in the shape of a competitive simultaneous examination, as an addition to the system of recruitment in England. The period of probation and training for the successful candidates at the simultaneous examination should be two years in England. Those of the candidates who take up the Executive Branch of work should be required to pass the Final Examination in the following subjects:—

	Marks.
1. History and Geography of India . . .	350
2. Political Economy	350
3. The most important vernacular language prescribed for candidates' presidency or province	400
4. Law:—	
(i) The Indian Penal Code with Gour's Commentary.	300
(ii) The Indian Evidence Act with Woodroffe and Amir Ali's Commentary.	
(iii) The Code of Criminal Procedure with Prinsep's Commentary.	
5. Case-law in criminal cases as contained in the Indian Law Reports of the High Courts in India	1,000

Those who take up the Judicial Branch of work should be required to pass only in the first four subjects given above besides in the following:—

	Marks.
6. The Code of Civil Procedure with O'Kinley's Commentary.	1,000
The Indian Law of Contracts	
The Transfer of Property Act	
The Hindu and Muhammadan Law	
Blackstone's Commentaries	
Austin's Jurisprudence	
The Institutes of Justinian	
Mayne's Ancient Law	
MacKenzie's Studies in Roman Law	
Bentham's Theory of Legislation	

The candidates belonging to both the Executive and Judicial Branches should be required to attend

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the courts and supply the same detailed reports with an analysis and notes in each case which they were required to submit at the Final Examination of 1891.

37843 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—There is no differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent.

37844 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be absolutely abolished. The abolition should be restricted to future entrants.

37845 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?—I approve of the arrangement by which the Statutory Civilians and officers of the Provincial Civil Services holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service. I however make exception in the case of Judges of High Courts, Chief Courts and Judicial Commissioners' Courts, and of officers holding all posts above those of Commissioners of Divisions.

37846 (48). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No privilege leave, for whatever period, which a Statutory Civilian or member of the Provincial Civil Services holding listed posts has been allowed, or been compelled, to accumulate, should be allowed to lapse.

Written answers relating to the Provincial Civil Service.

37847 (51). Please refer to Government of India Resolution No. 1046—1053, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think it desirable that no European, who is not

a statutory native of India, should even, if qualified under the Resolution of the Government of India, No. 1046—1053, dated Simla, the 19th August 1910, be considered under Rule VI to be eligible for appointment to any post in the Provincial Civil Service or at least to any of the listed posts granted to the Provincial Civil Service. There is always possibility of a temptation to appoint a European to these posts, and great heart-burning is the result.

37848 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—I have to make the following recommendations for the alteration of the rules for the recruitment of the Provincial Civil Service:—Rule (1) (i) I have to express the same wish as I have already expressed in relation to rule (vi) in the answer to the previous question (51). Rule (3) Delete all the words after the word "University." There is no useful purpose served by making concessions in favour of the advanced classes of Europeans or Eurasians who ought to come into service by dint of merit alone and not by a back-door. It is only fair that they should be expected to pass the examination of B.A. or B.Sc., which is considered necessary in the case of members of less advanced communities. In the case of candidates for munsifs' and sub-judges' posts, the LL.B. or B.L. examination ought to be considered necessary. II. Indirect appointments. I think that no officer of the Subordinate Civil Service or of the Police Service or of other Departments may be made a sub-judge or munsif unless he has passed the LL.B. or B.L. examination besides B.A. or B.Sc.

37849 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—I think that recruitment for the Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs.

37850 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—All classes and communities who generally seek Government service, such as Hindus, Muhammadans, Christians and Parsis, are duly represented in our Provincial Civil Service. This is of course desirable: and the time has now come when, in the interests of thorough efficiency, the prescribed educational tests should be strictly enforced in the case of all future candidates.

37851 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—I am satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service.

37852 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The present numbers of officers authorised for the various grades of the Provincial Civil Service in the

20th March 1913.]

RAO BAHADUR W. R. M. KOLHATKAR.

[continued.

Central Provinces are in my opinion not satisfactory. The numbers authorised for (I) the Executive Branch of the service are as follows :—

	Rs.
2 Extra Assistant Commissioners of the 1st grade, drawing each a salary of	800
3 Extra Assistant Commissioners of the 2nd grade, drawing each a salary of	700
6 Extra Assistant Commissioners of the 3rd grade, drawing each a salary of	600
14 Extra Assistant Commissioners of the 4th grade, drawing each a salary of	500
24 Extra Assistant Commissioners of the 5th grade, drawing each a salary of	400
24 Extra Assistant Commissioners of the 6th grade, drawing each a salary of	300
14 Extra Assistant Commissioners of the 7th grade, drawing each a salary of	250
12 Extra Assistant Commissioners of the 8th grade, drawing each a salary of	200
—	
99 Total.	

There is a Subordinate Executive Civil Service under the Executive Branch which consists of 83 permanent and 43 officiating Tahsildars of four grades as follows :—

	Rs.
10 Tahsildars of the 1st grade, drawing a salary of	250 each
15 Tahsildars of the 2nd grade, drawing a salary of	200 „
24 Tahsildars of the 3rd grade, drawing a salary of	175 „
34 Tahsildars of the 4th grade, drawing a salary of	150 „
—	
83 Total.	

24 officiating Tahsildars of the 4th grade drawing some salary of Rs. 125 and some of Rs. 139.

The numbers authorised for (II) the Judicial Branch of the service are as follows :—

	Rs.
2 District Judges of the 1st grade, drawing each a salary of	800
3 District Judges of the 2nd grade, drawing each a salary of	700
5 District Judges of the 3rd grade, drawing each a salary of	600
5 District Judges of the 4th grade, drawing each a salary of	500
17 Sub-Judges of the 1st grade, drawing each a salary of	400
17 Sub-Judges of the 2nd grade, drawing each a salary of	300
—	
49 Total.	

The Subordinate Civil Service under this Branch consists of—

	Rs.
12 Munsifs of the 1st grade, drawing each a salary of	250
16 Munsifs of the 2nd grade, drawing each a salary of	200
22 Munsifs of the 3rd grade, drawing each a salary of	175
24 Munsifs of the 4th grade, drawing each a salary of	150
12 officiating Munsifs drawing some a salary of Rs. 139 and some of Rs. 125.	

A glance at these figures will suffice to show that it is difficult for—

	Rs.
(a) the last of the Extra Assistant Commissioners of the 7th and 8th grades to reach the grade of	400 in 20 years.
(b) the last of the Extra Assistant Commissioners of the 6th grade to reach the grade of	500 do.
(c) the last of the officiating Tahsildars to reach the 2nd grade of	200 do.
(d) The last of the Tahsildars of the 4th and 3rd grades to reach the 1st grade in 20 years.	
(e) the last of the Sub-Judges of the 2nd grade to reach above the 4th grade of District Judges in 20 years.	
(f) the last officiating Munsif to reach even the 2nd grade of Munsifs in 20 years.	
(g) the last of the Munsifs of the 4th grade to reach the 1st grade in 20 years.	

The state of things therefore should be remedied by making due alteration in the figures which admit of change. It ought to be possible for a smart and diligent officer to rise pretty high in the service by the time he reaches his 45th year. There is little or no use in fixing high the salaries in the higher grades of the service if those salaries are almost as good as unreachable by members of the lower grades. The name "District Judge" is only honorific if the persons, who are honoured with that name, do not get the higher pay of the appointment in the other Provinces. The best solution of the difficulty shown above is perhaps to provide a time-scale pay to officers until they reach a pay of Rs. 500 a month.

37853 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The officers of the executive branch of the Provincial Civil Service in the Central Provinces still do the criminal part of the judicial work. But in other respects, the functions of those officers and the functions of the officers of the judicial branch are entirely different. I think that the officers of the Executive Branch should be relieved entirely of all the judicial work, if strict impartiality in criminal work is a desideratum. It will cost but trifling additional expenditure to make the change.

37854 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept as suitable the principle that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed. But I consider that the dignity of the posts should also be taken into consideration in fixing the salaries thereof.

37855 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The existing rates of pay in the Provincial Civil Service of the Central Provinces are generally adequate to secure the desired qualifications in the officers appointed.

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RAO BAHADUR W. R. M. KOLHATKAR.

[continued.

But the existing grading is not satisfactory. Munsifs, who are all with an insignificant minority well-educated people, being double graduates in Arts and Law, and who do the same kind of work as is done by members of the Provincial Civil Service, should all be included in the Provincial Civil Service, and their 3rd and 4th grades of Rs. 175 and Rs. 150 respectively should be abolished. Munsifs of Rs. 250 and Rs. 200 grades are included in the Provincial Service in Madras, Bombay, Bengal, United Provinces and in Bihar and Orissa; and some time ago, officers of the grade of Rs. 250 were included in the superior Provincial Service even here in the Central Provinces. Even now Extra Assistant Commissioners of the 7th and 8th grades (*i.e.*, of Rs. 250 and Rs. 200 respectively) here are included in the superior Provincial Civil Service, and therefore I see no reason to exclude from that service such a well-educated class of Judges as Munsifs. There has lately been a steady rise in the prices of all commodities and a decent living therefore now-a-days costs much more than formerly. Munsifs are required to live according to a certain respectable standard, and that standard it is difficult to keep up unless one gets a minimum salary of Rs. 200. They are, besides, all Civil Judges who are required often to decide cases in which property of a large value is concerned, and it is desirable therefore that they should get a salary which will keep them above the temptation to corruption. For all these reasons, I consider that their grades of Rs. 175 and Rs. 150 should be abolished, and that they should all be included as Sub-Judges in the higher Provincial Service. Though Tahsildars are not so well educated as Munsifs, still they are all magistrates and have to decide cases in which sometimes the reputation of respectable persons is concerned; and as they too, like Munsifs, are required to live according to a certain respectable standard, I recommend that their third and fourth grades of Rs. 175 and Rs. 150 respectively should also be abolished. The numbers in the several grades of District Judges and of Sub-Judges should be increased. Two or three more grades of Sub-Judges should be made and they should absorb all Munsifs.

37856 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest

for the various appointments?—I do approve of the arrangement by which officers of the Provincial Civil Service, holding listed posts, draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service.

37857 (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The only proposal I have to make about the leave rules applicable to the Provincial Civil Service is that privilege leave, accumulated to any length of time, ought not to be allowed to lapse. At present that leave is sometimes denied to officers on the ground of exigencies of the service, and it often lapses for no fault of their own.

37858 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what grounds?—Members of the Judicial Branch of the Provincial Civil Service and Munsifs should be allowed full pension after a service of 25 years. They are a hard-worked lot and often fall a prey to diseases like diabetes and insomnia. They may, if they wish, be allowed to work longer up to 30 years, but as a general rule they should be given full pension after 25 years' service.

37859 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the existing organisation of the Provincial Civil Service. But I have said all that I have to say in answer to this question in my answer to question (60).

37860 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—In official documents Munsifs and Tahsildars should all be mentioned with the title of "Mr." prefixed to their names. The present style of mentioning them without that prefix is very nude and excites just resentment. Being all such important officers as Judges or Magistrates, I think they are fairly entitled to the courtesy I beg to recommend.

RAO BAHADUR W. R. M. KOLHATKAR called and examined.

37861. (Chairman.) Can you tell us what public positions you occupy?—At present I am a pensioner, but I was a Divisional Judge and retired as Small Cause Court Judge.

37862. How many years were you in the Service?—Twenty-five.

37863. I understand you would like to see simultaneous examinations established?—Yes.

37864. Do I understand that the proposals you make in your answer to question (8) are what you would like to see in the event of simultaneous examinations not being established?—Yes.

37865. I gather that you would abolish the present system of listed posts and would establish a whole set of appointments by various forms of recruitment into the Indian Civil Service?—Yes, by only one examination.

37866. In your answer to question (8) you say: "I would for the present make the number of listed posts equal to one-fourth of the Executive and Judicial posts belonging to the Indian Civil Service cadre, and fill the whole number of Executive vacancies and half the number of Judicial vacancies from persons who have come up first in the year's L.L.B. or B.L. examinations of the

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RAO BAHADUR W. R. M. KOLHATKAR.

[continued.]

Universities of Calcutta, Bombay, Madras, Allahabad, and the Punjab." That is your form of recruitment?—Yes.

37867. How would you select from the L.L.B.'s and B.L.'s?—I would take the first five from each University, and if there are more vacancies, then the second five, and so on.

37868. You would fill the other half of the Judicial vacancies from distinguished members of the Bar?—Yes. Supposing there are twenty vacancies, ten Executive and ten Judicial, I would fill ten Executive vacancies and five Judicial vacancies from University men, and the five that remain would be given to the Bar.

37869. All these candidates would then be members of the Indian Civil Service?—They would get listed posts.

37870. Then they would not be members of the Indian Civil Service?—No.

37871. So that what you want is an extension of the present listed post system?—Yes.

37872. The difference being that, whereas at present the listed post officer is promoted from the Provincial Civil Service, under your scheme no officer would be promoted from the Provincial Civil Service?—Yes.

37873. Have you thought what effect that would have upon the Provincial Civil Service?—Another class of people will get the appointments.

37874. But what I want to know is what effect you think it will have upon the Provincial Civil Service?—The Provincial Civil Service will not have any right to complain.

37875. Do you not think it will discourage the members of that Service to withdraw from them all their prizes?—In that way it might.

37876. You are very strong against the principle of nomination, but you would select from the Bar?—To the extent of one-fourth.

37877. Would not that be a form of nomination?—Yes.

37878. You have alluded to the overwork of certain classes of officers. How many years have you left the Service?—Eight years.

37879. I suppose you have been watching the Service during the years that have elapsed?—Yes.

37880. Do you think the officers in the Service are being worked much harder now than they were in your time?—They were also worked hard in my time.

37881. I am not suggesting they were not, but I want to know whether you think they are being harder worked now?—I cannot say that.

37882. You think that the pay of the Provincial Civil Service should be improved?—Yes, in regard to Munsifs and Tahsildars. I would abolish the grades of Munsifs and Tahsildars drawing Rs. 175 and Rs. 150.

37883. I am dealing with the Provincial Civil Service, not the Subordinate Service. Would you like to see the improvements of salary for officers in the Provincial Civil Service?—No. I have not said that their salaries should be raised.

37884. Would you like to see promotion made more rapid?—I do not want any promotion beyond Rs. 800 for the Provincial Civil Service.

37885. You suggest that the best solution of the difficulty of the block in pay would be the establishment of a time-scale?—Yes.

37886. You would establish a time-scale up to Rs. 500 a month?—Yes.

37887. Would you suggest any alterations in the grades beyond Rs. 500?—No.

37888. We have had a good deal of evidence in regard to the pay of the Munsifs, and I should like to know if you have anything to say on that?—I have said that they should be graded in the Provincial Civil Service, and that their last two grades should be abolished.

37889. What should be the lowest pay of the Munsif?—Rs. 200.

37890. You say that officers who go into the Executive Branch should pass the departmental examination and should also be required to know all the criminal case-law, etc. I gather from this that you assume that officers in the Executive line should still continue to exercise magisterial functions?—Yes.

37891. Then you suggest that officers of the Executive Branch should be relieved entirely of all Judicial work. I do not quite understand what you mean by your first remark in answer to question (2) when taken in connection with your answer to question (57). You distinctly suggest in your answers to question (2) that magisterial functions shall still be performed by Executive officers?—In answer to question (57) I have simply stated that if separation is to take place then they should be relieved entirely of Judicial work.

37892. But you do not suggest that in your answer to question (2)?—No.

37893. You rather suggest there that they should continue to exercise magisterial functions, only further training should be given to them?—I have not given this answer in connection with that question.

37894. But they both deal with the same subject?—Under the present circumstances, as long as there is no separation.

37895. Assuming that there was no change, you would like to see Executive officers given more training in Judicial work?—Yes.

37896. (Lord Ronaldshay.) You have suggested that one-fourth of the Indian Civil Service posts should be listed and should be filled direct by graduates in Law from the five Universities. Do you think that these men would be better qualified to carry out these administrative duties than men who have passed a period of training in the Provincial Service?—That applies also to the people who have been taken into the Civil Service.

37897. I understand you propose to appoint these graduates direct into posts which carry with them large administrative responsibilities?—They should be prepared for those posts.

37898. Do you not think that men who had already passed a number of years in the Provincial Service, training in administrative and executive work, would be better qualified to carry out those duties than young graduates coming direct from the Universities?—No doubt, but they will be very old when they get those posts.

37899. They need not be very old if you select them young. Do you not think the Provincial Service is a very fine Service, and that the Officers in it are carrying out a very important work in the administration of the country?—Yes.

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RAO BAHADUR W. R. M. KOLBARKAR.

[concluded.]

37900. That being so do you not think it would be better to do something to add to the prospects of this Service rather than to do something to detract from the prospects of the Service?—My objection is that these people become very old before they get the new appointments and are not able to work hard enough in them.

37901. Supposing it was suggested that the men should be selected from the Provincial Civil Service at a younger age than at present for the listed posts, do you not think that would be a better system than the one suggested by you?—It may be.

37902. It would encourage the Provincial Service and raise the whole status of the Service, would it not?—Yes.

37903. And that would be better than doing anything to lower the status of the Provincial Service?—Yes.

37904. (Sir Theodore Morison.) In your answer to question (6) you say: "If contrary to all expectations it comes soon"—that is to say the increase of Indians in the competition—"it would be perfectly open to English statesmanship to devise means to prevent the apprehended swamping." What are the means that can be devised?—I have not thought of any, but another Commission might do that work.

37905. Instead of putting it on to English statesmen why not show now what can be done?—I have not considered that question.

37906. (Mr. Fisher.) You recommend that Munsifs should be included in the cadre of the Provincial Service. Would you also propose that Tahsildars should be included in the cadre of that Service?—No; they are not so very well educated.

37907. You draw a distinction?—Yes.

37908. There would be no grievance you think among the Tahsildars if the Munsifs were treated as Provincial Officers and they were left behind?—I do not think there would be any sense of grievance.

37909. (Mr. Sly.) I want to understand a little more clearly your idea of a separate Service in India for one-quarter of the Indian Civil Service posts. I understand that you wish to take away a quarter not only of the superior posts but of the inferior posts and form them into a separate service which would be recruited partly by the results of the University examinations and partly from the Bar in connection with the Judicial?—Yes.

37910. You recommend that a man who stands first in the LL.B. examination of each University should *ipso facto* have the appointment?—Yes.

37911. You would not allow any discretion to Government in the matter: the first man on the list must get in?—Yes.

37912. Is that fair in regard to all Universities? Are not some Universities much larger than others, with a much larger number of candidates?—I think it would be fair to all Universities.

37913. Although there may be a thousand LL.B.'s from one University and a hundred from another, that does not matter?—No.

37914. Do you propose that these people should be posted to any part of India or do you wish that the men should be

employed in the Province governed by that University? May a man be posted to any part of India or must he be posted within the Province, say, of the Allahabad University?—Within the Province of the Allahabad University.

37915. You wish them restricted to their own Province?—Yes.

37916. Is there any limit of age for the LL.B. examination?—I do not know.

37917. Even if a man passes out first at 50 years of age would you still put him into Government Service?—They appear at 20, 21 or 22.

37918. But there are a good many old men who get in?—There must be some limit.

37919. Would you not require that a candidate must at least have passed a medical examination before he is appointed?—Yes.

37920. Would you require any certificate of character, or no matter what his character was, would the man who passed first get in?—His character certificate is given before the examination.

37921. You do away altogether with the qualification of three years' practice at the Bar in respect of these students. As soon as they pass they are to go into the special service?—No. The persons who are to be recruited from the Bar ought to have some practice.

37922. But the persons who are to be recruited from the Universities, the LL.B.'s, will have no practice at the Bar?—No.

37923. Personally you do not place much reliance on practice at the Bar as a method of recruitment for the Service?—No.

37924. You would prefer to see them coming in direct?—Yes.

37925. (Mr. Chaudh.) Am I right in supposing that you are a social reformer in these Provinces?—Yes.

37926. May I ask you whether, from your experience, you do not find the old rigidity of distinction between castes is fast disappearing in this Province?—Yes; it is very much improving.

37927. (Mr. Thakur.) Is it not your experience that the cost of the necessaries of life and education and all such things has very much increased in these Provinces?—Yes.

37928. Are you also aware that in the contiguous Province, the United Provinces of Agra and Oudh, the pay and prospects of the Provincial Service have been improved?—I do not know.

37929. If they have been, do you not think that the Provincial Service in these Provinces should be placed on the same footing as they are?—Yes.

37930. You were in a listed post before retiring, I suppose?—Yes.

37931. Do you not think the change from the emoluments you received from those posts to the reduced income of a small pension causes some difficulty in maintaining the same standard of life?—Yes.

37932. Do you think that the same pension would do for the man who has been in a listed post or should there be some improvement in it?—There should be some improvement.

37933. Do you regard the present pension for officers of the Provincial Civil Service as sufficient?—Yes.

(The witness withdrew.)

[Adjourned to Patna.]

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APPENDIX I.

Note by the Honourable Sir BENJAMIN ROBERTSON, K.C.S.I., C.I.E., I.C.S., Chief Commissioner, Central Provinces and Berar, for the Royal Commission on the Public Services in India.

One of the matters on which the Royal Commission has been directed to report is "Such limitations as still exist in the employment of non-Europeans" in the Public Services in India. By far the most important question in this connection is the manning of the Indian Civil Service, on which to a great extent depends the efficient administration of the country and the strength and stability of British rule. In my opinion it is essential that there should be a limitation of the employment of non-Europeans in the governing body, and I consider the time has come, in view of the demands that are being put forward, when such a limitation should be definitely affirmed. It is unnecessary to labour the paramount necessity of British rule for India. Let Britain withdraw from India, and the country would relapse into chaos. Even if internal dissensions amongst her varied populations ceased, she would always be open to be exploited by the more hardy races of mankind. And from this she would not be saved by the mental subtlety of a certain portion of her indigenous population any more than she has been saved from invasion and foreign domination in the past.

2. If then British rule is to be maintained, we should consider the essentials to its maintenance. These are:—

First, the British army;

Second, the preponderance of the British element in what I may perhaps call the "security" services. Amongst these I would class the Civil Service, the Police, Railways and Telegraphs. In the services which are not primarily essential for "security," engineering, forestry and the like, there is no call for such preponderance. The principle involved in connection with these is the duty Britain owes to India to give her a good government, and the extra efficiency of the European then comes in. Such good government is necessary to secure the—

Third essential, the goodwill and contentment of the people.

3. Now, in connection with this latter, the argument has to be met that the people are discontented when they see important posts kept in the hands of Englishmen, such as the posts in the Indian Civil Service. A certain small proportion of the population are discontented with this, and I for one do not fail to appreciate the grounds of their discontent. But the great bulk of the people, at any rate in these Provinces, prefer to have British officers to rule them and are keenly alive to the necessity for maintaining British supremacy. There are persons, however, although many of them also wish the continuance of British rule, who ask for a change and press for a new order of things. These persons admittedly form an important element, namely the highly educated classes. When they ask for this new order, an order which

must ultimately result in the permanent weakening of British rule, do they clearly appreciate what the effect would be of the withdrawal of British security? The answer I would give to them is that they are the very people who have most to lose by that withdrawal. The cultivator, though he might be plundered, would not suffer such an overwhelming *débâcle* as would the professional and commercial classes. The former especially would be the first to disappear. And they themselves know it. In return for the protection which they enjoy and the wealth which they are amassing through the security of British rule, they must understand that this security must be maintained whatever the cost, and to them the cost must be the sacrifice of some of their ambitions to fill high posts in the services with which is bound up the maintenance of this security.

4. But it may be said, what becomes of the Queen's Proclamation, if this view is held? My answer is that the Queen's Proclamation must be read subject to this essential condition, *viz.*, the firm maintenance of British rule. Indians should be admitted to high posts in the "security" services, as they are at present. But there must be no idea that these services can be equally well monopolised by Indians, as would be the ultimate result of certain proposals which have been placed before the Commission, particularly the holding of simultaneous examinations in England and India for the Indian Civil Service. It is impossible to contemplate any such schemes, unless the essential of maintaining the predominance of the European element in the Indian Civil Service is first determined. This done, let the Queen's Proclamation have due weight, and let there be no bar to Indians getting a proportion of the posts in the Service and filling the highest offices it contains.

5. I consider it essential that the Royal Commission should place in the forefront of their recommendations the maintenance of this important principle. On more than one occasion the Government of India have expressed their preparedness to take steps to prevent an unduly large influx of Indians into the Indian Civil Service. The appointment of the Royal Commission makes it most desirable that a declaration on the subject should be made now. Let it be made clear that unlimited entrance of non-Europeans in the Indian Civil Service and employment of non-Europeans in posts which that Service is recruited to fill is beyond the bounds of practical politics. To depart from this principle is impossible, without increasing the first essential to security, *viz.*, the British Army in India, and without gravely affecting the third essential, *viz.*, the contentment of the people. Whether on such a recommendation of the Commission, if made, the Government would lay down the limits of admission of non-Europeans to the governing body is a matter for separate consideration. What is required is that the principle should be definitely affirmed. And in making

the declaration it might be stated that a much stronger European element is required in the administrative ranks than in the judiciary. I hold very strongly that the European element is necessary in the latter to maintain British principles of dispensing justice, but the well-known aptitude of Indians for the law makes it feasible to give them a greater share in its administration than in the work of governing proper.

6. It may be pointed out in connection with the limitation on the number of posts that may be held by non-Europeans, that there is already a precedent for declaring that appointments may not be given to persons without distinction of race. I refer to Article 773 of the Civil Account Code, which lays down that no person other than a Native of India is to be appointed to an office carrying a salary of Rs. 200 a month or upwards, outside certain stated services, without the previous sanction of the Governor-General in Council. I know that in the exercise of this control, the Government of India in the Home Department rigorously scrutinise such appointments and that the rule is closely observed that appointments whenever possible should be conferred on Natives of India.

7. In the case of the Central Provinces, with a primitive population, I regard the necessity for a strong European element at the existing stage of development to be particularly essential. At the present time five out of the 22 districts are held by Natives of India, and I think the proportion is unduly large. But when the Central Provinces took over the administration of Berar, a considerable number of Indian officers came in. Several of the Indian officers of the Berar Commission were disposed of at the time, but others remained on and have to be provided for. In connection with the employment of Indians my predecessor, Sir Reginald Craddock, in a Resolution, dated the 2nd August 1911, after reviewing the subject in a passage which will be brought to the notice of the Commission, remarked as follows :—

“The only comment that can be made on these figures is that the progress has been, if anything, too rapid rather than too slow. It is far more rapid than anything that could be shown by large hanks or business houses who are certainly not in the habit of employing needlessly expensive agency. It is the greatest fallacy to deduce from the fact that there are to be found in India many distinguished and talented Indians of first rank that the general average of Indian efficiency has yet reached European standards.”

As I have said the addition of Berar affected the situation in the Central Provinces, but I agree with Sir Reginald Craddock that the progress has been almost too rapid.

8. If a declaration is made that there must be

Methods of recruitment. of Indians admitted to the Civil Service, the question of methods of recruitment is not so important as if their admission were in future to be uncontrolled. But I am in favour of the retention of the existing method, *viz.*, recruitment through the open competition in London. This method is not without its drawbacks, but I believe it to be the most satisfactory that can be devised. It has given generally satisfactory

results in the past, and to substitute for it any system of selection would not only be opposed to the democratic spirit of the times, but would almost certainly be found very difficult to work.

9. It cannot be said that the present system is equally suitable for the admission of “Natives of India.” The system is based on the theory that the competitors will be endowed with certain qualities required for successful administration—qualities which are inherent in the British character and are brought out by the British system of training. By applying it to Natives of India one or both of these conditions are not fulfilled, and even if the latter is to a certain extent complied with, it involves sending the Indian boy to a foreign country at an impressionable age, when, if he is not properly looked after, evil instead of good may result and he may in any case fail to profit by his British surroundings. There is also the question of expense. I am not unmindful of these drawbacks. But I consider that the benefit of a British training outweighs them. With the steps that have been recently taken for safeguarding Indian youths studying in England, the objections to their having to leave their country for the purpose of such study have to a certain extent been met, and their English training will give them something of that British grounding which it is our object to secure. On the ground of expense also, conditions have changed much within the last few years. There has been a great increase in the wealth of the professional and commercial communities in India, and Indians go to the United Kingdom in considerable numbers to study for the Bar and also to qualify as engineers and doctors. I believe that the number of Indian students in the United Kingdom is now about 1,700, and the result of the recent open competition at which Indians gained seven places out of 46 shows that the question of expense is not what it once was.

10. I am not therefore in favour of the holding of simultaneous examinations in England and in India for admission to the Indian Civil Service. I would remark that the proposal which has more lately been made that Indians who pass an examination in India should be sent home for a period of three years’ training would not in my opinion attain the object in view, namely, the advantages to be derived from an upbringing in England at an earlier age, despite the drawbacks which such an upbringing may possibly entail to the Indian student. I am also opposed to the suggestion which has been made that Indians should be nominated for appointment to the Civil Service and sent home to England with a Government scholarship to pass three years in study at a University. In addition to the objection just mentioned, there is the further one that men thus recruited would be looked upon by members of the Service who had entered through the open competition door, whether Europeans or Indians, as of a different and inferior stamp. The Indian members of the Service at present serving in the Central Provinces are accepted by their European fellows as in every way their own equals, and it is of the highest importance that this feeling of *esprit de corps* should be maintained and that backdoors for admission to the Service should not be opened. I would therefore confine admission to the Service entirely to the open competition in London.

11. I have no remarks to make about the details of the present system except that from experience of the recruits who have, in the course of the past few years, come to the Central Provinces, I consider that the examination for physical fitness should be much more rigid than it is at present. The subject is one which is to some extent connected with the question of the age-limits for admission to the Service. I shall be able to give the Commission an account of the inconvenience which has been caused to the Administration by the failure of quite a large proportion of the recent recruits in the Central Provinces from the physical point of view. At the present moment there is difficulty in obtaining an officer of suitable standing for the appointment of Assistant to the Commissioner of Settlements, a post which requires much travelling, because such a number of the young men are unable to undertake strenuous touring. I am decidedly of opinion that the medical test should be made much more stringent and that a fairly high standard of physical fitness should be insisted on apart altogether from the question of freedom from constitutional disease.

12. I do not consider that any separate method of recruitment for the Judicial Service of the Indian Civil Service should be adopted. In dealing with the question of listed appointments I shall have some further remarks to offer regarding the filling of Judicial posts, but I hold that a substantial proportion of these posts should be reserved for members of the Indian Civil Service. It is admitted that in the past Indian Civil servants have made capable Judges—thanks to their early training and acquaintance with the people. If further steps were taken to improve their knowledge of law and to secure that they spend a portion of their earlier service in subordinate Judicial posts, their fitness as Judges would be still further enhanced. I believe that separate recruitment from the Bar for the Judicial Service would present many difficulties. Holding as I do that a European element in the Judicial Branch is necessary to maintain British principles of administering justice, I would observe that, if the suggested alternative were adopted, this European element would only be obtained from the failures of the English Bar, and the men thus recruited would further be too old to learn Indian conditions. If the Judicial Service were separately recruited as proposed, there would be a certainty of antagonism between the two Services which would have a disastrous effect on the peaceful development of the country. The administration of the Criminal law would certainly suffer, as is in fact sometimes the case at present when officers who have had an entirely Civil Judicial training are appointed Sessions Judges. It is of the utmost importance for the peace and well-being of the country that there should be sound administration of Criminal justice, and I cannot but believe that a Judiciary recruited from the Bar would show still further divergence in this respect between what obtains even at the present day in the punishment of criminals in England and in India. In Indian Courts the evidence which the Judge has to go on is notoriously less trustworthy than is the case in England, but the way in which criminals are often allowed to go unpunished in this country would not be tolerated by public opinion in the United Kingdom. It is of the utmost importance that nothing should be

done which would further interfere with the repression of crime by the Courts, and I am convinced that, without the example set by strong and capable English Judges, who can only be obtained through the Indian Civil Service, the administration of the Criminal law in India would suffer with untoward results to the good government of the country.

13. The question of the limit of age to be fixed for the open competition is one of much difficulty. In favour of an early age is the fact that the recruit arrives in India at a time when he can best adapt himself to Indian conditions and he most suitably trained in his official duties. An examination later in life enhances the risk of failure, since failures at an advanced age cannot readily turn to other pursuits. If a higher age is adopted, the candidate secures the benefit of a University career to complete his education, and with the change that has taken place in India there is greater need for maturity of judgment and sense of responsibility in young men starting on their Indian career. On the other hand judging from my own experience, I do not think that the men who come out to India at the present advanced age are as satisfactory as those who came out at an earlier age. Allowance must be made for the unpopularity with which the Service has recently come to be regarded because of the decline in the prospects of the Civilian. But the fact remains that the standard has in my opinion fallen off. And I do not believe that the improvement of prospects would alone redress the balance. At present we get a considerable percentage of men who, having completed their University course, enter the Indian Civil Service, not because they care for the career but because they have nothing else to turn to. Arrived in India these men at the time of life they have reached do not care for the petty details of work they are put to. They are too old to go through the mill, their sense of discipline is not what it should be, and they do not settle down contentedly.

14. I have no hesitation in saying that, taking the average recruit, you can turn him into a better officer if you catch him young. And by the time he has undergone his two years' training—for this purpose the officer under whom he is placed should be carefully selected—I am of opinion that he should be fit to undertake the responsibilities of present day administration in India as well as, if not better than, an older man who has fretted at the trivial nature of his earlier duties and perhaps failed to imbibe the true spirit of the Service. To my mind the best age for the young Civilian to arrive in India is 22. And as I am in favour of a two years' course of probation in England—the present one year's course is, I consider, little better than a makeshift—I would fix the competition age at 18 to 20 years. At this age the candidate can have completed a Public School education, and he can adopt an Indian career for its own sake without waiting to see whether something better may not turn up and taking to India only as a last resort. But as I have said, it is on his arrival in India that I consider the chief advantage accrues from having the younger recruit. And it is this which weighs most with me in suggesting that a much earlier age than the present should be fixed.

15. Against the proposal it may be urged that the younger age-limit is not suited for the Natives of India, although Indians gained admission to the Service when the age was 17—19, and the Government of India recently expressed the view that the reduction of the age to 20—22 might result in the Indian element among the successful candidates becoming too large. If unfairness to the Indian candidate is likely to result from the change which has been proposed, I do not consider that it would be impracticable to give him a separate limit of age, say 19—21, although I should prefer to see the same limit kept for all candidates, at any rate until a fair trial had been given to the new system.

16. I am in favour of the period of probation in England being fixed at two years—less than this is useless for the purpose in view, *viz.*, the training of the successful candidate in law and languages and in other subjects which would be of use for his Indian career. The period of probation should be spent at a residential University: I would myself confine the period of probation to residence at Oxford or Cambridge. The probationer should receive an allowance of £200 a year, and I should encourage probationers to complete their University course and take a degree in Law by offering £200 for a third year of residence, provided a Law degree were obtained. I am entirely against a separate institution being maintained for the training of Indian probationers, either in England or in India. More especially the latter, for I hold that when your young Civilian reaches India the sooner he is set to practical work under a sound District Officer, the better it is for him in every way.

17. I have above indicated that the young Civilian should be placed under an approved District Officer to be trained. I attach the greatest importance to this, and provided this essential is complied with I do not think that it is worth while laying down any specific rules for the training of officers. The existing system of departmental examinations should be maintained. I am myself in favour of greater stringency than at present obtains in the passing of an examination in the vernacular languages. I should like it laid down that an officer be not permitted to present himself for examination in the vernacular of his district until he has been approximately eighteen months in India. Say that he arrives in India in November 1913. He should appear for his vernacular examination at the departmental examination of April 1915, and the test should then be a fairly severe one. Under the existing rules an Assistant Commissioner draws Rs. 400 on arrival, and Rs. 450 after passing in law and procedure and accounts by the lower standard and in one vernacular language, and after being invested with the powers exercised by a second class Magistrate. After passing by the higher standard and in a second language and being invested with the powers of a first-class Magistrate, he draws Rs. 500. I would allow Rs. 450 to be drawn without the passing of the vernacular test, but the Rs. 500 pay should not be given till the first vernacular is passed. The second vernacular should be taken after eighteen months' residence in a district in which it is spoken, and an officer should always be sent to such a district, as soon as convenient after passing in his first language.

Failure to pass in the second language within two years of residence in a district where that language is spoken should entail stoppage of promotion. If a time-scale is introduced for the Indian Civil Service, the penalties for failure to pass would be suitably regulated in accordance therewith, by temporary stoppage of increments of pay.

18. Sir Reginald Craddock was in favour of the Civilian being compelled to pass, in addition to the ordinary test in two vernaculars, an advanced test in one language only about the conclusion of his fifth year of service, and the papers containing his proposals will be laid before the Royal Commission if desired. I am inclined to doubt the expediency of this further test, as a compulsory measure. By the time an officer has reached his fifth year of service, he is heavily worked, he has little time for study and is tired of examinations. Provided the original test is made a thorough one as has been proposed, I should be prepared to give up the idea of an advanced examination. The rules for the encouragement of the study of Oriental languages offer rewards for the passing of higher standards and further regulations on the subject appear hardly to be called for.

19. I am entirely in favour of the proposals put forward by the Government of India in their despatch to the Secretary of State, No. 20, dated the 19th September 1912, on the subject. I believe that a provision regarding the compulsory retirement under proper safeguards of incompetents from the Civil Service would be generally welcomed. And it is essential that care should be observed in making promotions to the headships of districts and divisions, on the lines which the Government of India have proposed.

20. Detailed answers have been drawn up regarding the conditions of service, salary, leave and pension, and I shall not refer to the subject in this note further than to say that the time has come for improving the prospects of the Indian Civil Service, more particularly in the matter of pay. The greatly increased cost of living in India has been recognised by the grant of increased emoluments to most of the other Services of Government. The Indian Civil Service cannot be left behind. In the Central Provinces the members of the Service are generally in favour of a time-scale of pay, and I consider that the adoption of such a course will be to the advantage of the State in securing a contented and willing body of workers. In the past few years the junior members of the Central Provinces Commission have suffered from a most serious block in promotion, regarding which individual members examined will no doubt make representations to the Commission. For many years to come this state of affairs is not likely to meet with adequate relief, unless a time-scale is introduced. Whilst I am in favour of the prospects of the Service being improved in the matter of pay, I consider that the ineffective charges should be kept within bounds, and I have made only a minor recommendation in the matter of increased pension to officers holding the post of Commissioner of a Division and above. These will in future be selected officers, and I hold that they should be treated on the same lines, in regard to pension, as selected senior officers in certain others of the Departments of the State. The

rigid exercise of the principle of selection will meet the argument that is put forward against the grant of such extra pension, that it keeps officers hanging on after their best days are passed.

21. I am in favour of the present system by which a certain number of the "Listed Posts" are declared open to members of the Provincial Civil Service. It is very desirable that the prospects of such promotion should be available to the Service. The latest proposals which have been prepared by this Administration in this connection will be laid before the Commission. In the Central Provinces, as has been already explained, there are three Indian officers of the Berar Commission at present holding charge of superior posts ordinarily filled by members of the Indian Civil Service. There are besides one Statutory Civilian and two Indian members of the Indian Civil Service holding charge of districts. The prospects of the Executive branch of the Provincial Civil Service are thus badly blocked, and it does not seem possible to give them relief, in view of the inexpediency from the point of view of the administration of the Province of too largely eliminating the British element from the higher posts. And even when the block is removed, at least three posts of Deputy Commissioner will be held by Indian members of the Civil Service. It is therefore unlikely that more than two Deputy Commissionerships can ultimately be thrown open to members of the Provincial Civil Service, if, as has been already advocated, the number of Indians holding administrative posts is to be placed within due limits.

22. In the Judicial Service under a scheme which is about to be submitted to the Government

of India it is proposed to declare a considerable proportion of the posts of District and Sessions Judges (which it is proposed to create) open to members of the Provincial Judicial Service, the members of which have shown themselves to be generally satisfactory as Civil Judges. The same cannot be said regarding their capacity as Criminal Judges, and cases have arisen in which the administration of the Criminal law at the hands of some of these officers has been very halting indeed. But as has been already indicated earlier in this note, I am in favour of a substantial proportion of the Judiciary being recruited from Indians.

23. Officers selected for listed posts from the Provincial Services will ordinarily be fairly advanced in service. I am not in favour of selecting men at too early an age, when the promise of their earlier career is often not fulfilled by their subsequent performances. This being the case, I would favour their being given a substantial rate of pay, when selected for a listed post, entirely independent of the pay drawn by members of the Indian Civil Service holding such posts. My view is that a Provincial Service officer selected for a Deputy Commissionership or Sessions Judgeship should not receive less than Rs. 1,500, and that it would be suitable to regulate the future promotion of such officers by a time-scale rising to Rs. 2,000 by suitable increments. Should a Provincial Service officer receive promotion to the Commissionership of a Division or to the Chief Court of the Province, he should draw the full pay of the appointment.

24. As has been already noted, detailed answers to the questions set by the Royal Commission have been submitted on most of the points which are not touched on in this note.

APPENDIX II.

(REFERRED TO IN QUESTION 34688.)

Letter from the Central Provinces and Berar Commission Association to the Joint Secretaries to the Royal Commission on the Public Services in India.

I am desired to address you on behalf of the Central Provinces and Berar Commission Association which is the representative body of the members of the Central Provinces and Berar Commission, and to request that you will be good enough to lay before the Royal Commission the following statement of the views of the Association on certain matters which are now under the consideration of the Commission with special reference to the questions framed by the Commissioners under the heads 'Salary', 'Leave', 'Pension' and 'Conditions of Service'.

2. The Association desire at the outset to bring very specially to the notice of the Commission the serious block in promotion that exists in these provinces.

The block in promotion has long been foreseen both by the members of the Central Provinces Commission and by the Government of India and has recently formed the subject of memorials submitted by a large number of members of the Commission.

An examination of the Civil Lists for the last 20 years will show conclusively that there has been during that period a progressive decline in the

emoluments enjoyed by officers at the same period of service and this decline is accentuated by the fact that the men recruited since 1891 being older than their predecessors might expect to draw age for age at least the same and service for service somewhat higher emoluments, whereas in fact they find themselves in a markedly worse position taking their salary in relation to their total service and in an altogether worse position taking their salary in relation to their age. In the meantime the value of the rupee has deteriorated, the cost of living in India has doubled or even trebled and the cost of living in England has increased. The belief sometimes expressed that living in the Central Provinces is relatively cheap is a legacy from a former condition of affairs now no longer in existence; on the contrary, the cost of necessities has risen far more in the Central Provinces than elsewhere and the expenses of a European mode of life are now just as high in the Central Provinces as in other parts of India. Nor is it possible for a Civilian of standing to effect economies of any consequence, for public sentiment, both European and Indian, associates with every post a certain scale of expense irrespective of variation in the salary enjoyed by the particular

holder of it, and the credit of the service demands that this sentiment should not be disregarded. The combined effect of these conditions is that many members of the Commission have to maintain out of smaller emoluments the same position as their predecessors of less age and standing and are unable to avoid running into debt.

The block in promotion affects the service in two ways. In the first place, the promise held out to recruits, that they will hold superior appointments after 8 years' service, is not fulfilled; on the first of January of the present year all the officers of 13 years' completed service, 4 in number, received salaries of less than Rs. 1,000 while out of 22 officers of more than 8 and below 14 years' service only 4 were in receipt of salaries exceeding this figure. Last year even in July the height of the leave season, when officiating promotion is at its best, the net number of men of over eight years' service whose salaries were less than Rs. 1,000, was four or including those on leave ten. In the second place, even after a superior post has been attained great stagnation in promotion supervenes. Men in the sixteenth year of service are still found in the list of First Class Assistant Commissioners, while at the bottom of the list of Second Class Assistant Commissioners are men in their eleventh year of service. At the head of the list of Third Class Deputy Commissioners stand men in their 20th year of service and at the head of the Second Class men in their 25th year of service.

A depressing feature of the present situation is that officers hold charge of districts continuously for long periods, in some cases for as long a period as eight years without receiving the pay of a permanent Deputy Commissioner. The Association would also point out that the Commission includes officers who are enjoying smaller emoluments than they would be enjoying had they entered other departments, e.g., the Education and Forest Service. It is not therefore to be wondered at that a number of officers are smarting under the feeling that they have been brought out to India on false pretences, and that members of the Service no longer recommend the I. C. S. as a career to their friends.

3. There appear to the Association to be three main directions in which, by deviation from the approved scheme of recruitment, this block has been intensified.

These are—

- (i) Over-recruitment;
- (ii) The assumption, for purposes of recruitment of a list of superior posts containing several posts which ought not to be classed as superior at all since it is the exception, and not the rule, for the officers holding them to receive salary amounting to Rs. 1,000 a month.
- (iii) The recent and sudden curtailment of this list of superior posts by the "listing" of three posts. This in effect amounts to the taking away from junior Civilians all hope of filling certain posts, which, at the time of their recruitment, were included in the list of those to fill which they were recruited.

Over-recruitment.—The main cause of the block in promotion is the very defective recruitment that

took place in the eighties, and the consequent necessity of very rapid recruitment at a later period. But it will be well to see how the present scientific scheme of recruitment has been worked. This scheme, though not formally brought into force till 1900, had received the approval of the Government of India as early as 1896, and that date will therefore be convenient as a starting point in contrasting the actuals with the theoretically correct figures of recruitment, though over-recruitment also took place in the three years prior to this date. Berar, with its large addition to the strength of the Commission, was joined to the Central Provinces towards the end of 1903. From that date onwards recruitment was normal (though subsequently rendered abnormal as will be shown later) but from 1896 to 1903 recruitment was excessive.

During these 8 years the sanctioned strength of the Commission remained constant at 78 and the correct recruitment at 4.31 per cent which was then adopted as the scientific rate would have been 3.15 men a year. Actually recruits were brought in as follows:—

1896	.	.	.	.	5
1897	.	.	.	.	5
1898	.	.	.	.	4
1899	.	.	.	.	5
1900	.	.	.	.	4
1901	.	.	.	.	5
1902	.	.	.	.	4 (Including Mr. Crosthwaite uncovered)
1903	.	.	.	.	4
Total					36

This does not include Civilians brought from other provinces during this period (of whom one still remains). Normal recruitment at 3.15 men a year would have resulted in a total of 25.20, or say 25 men, while the actual recruitment exceeded the normal by 4.4 per cent. The reason for this great over-recruitment was that the actual strength of the Commission was considerably below the sanctioned strength: the sanctioned strength was 73 while the actual strength was as low as 62 at the beginning of the period and rose gradually to 72 at the end. Such discrepancies between actual and sanctioned strength were duly foreseen when the scheme of recruitment was framed; but the maximum permissible deviation from the normal rate of recruitment in any one year was 30 per cent (*vide* paragraph 14 of Home Department Despatch No. 10, dated the 10th February 1898). Even this 30 per cent. addition would have permitted the recruitment of only 4.09 (or say 4) men yearly to the Central Provinces, a serious matter in itself, if repeated year after year, but recruitment went beyond this figure.

The list of Superior Posts.—This list contains 51 appointments, but after the deduction of 6 listed posts and the addition of 4 under the Government of India allotted to these Provinces, the net number ordinarily reserved for members of the Commission is 49. Of these no less than 5 cannot under the present system of payment fairly be regarded as superior posts, namely, those of

4 Settlement Officers.

1 Registrar, Co-operative Credit Societies.

Settlement Officers are invariably chosen from the ranks of Assistant Commissioners, and though they are seconded and may receive the salary of officiating Deputy Commissioner if any

officer junior to them is so officiating, experience shows that it is now most exceptional for this position to arise, and at the present moment not a single Settlement Officer receives the salary of Rs. 1,000 though one of them is an officer with more than 13 years' completed service. The Registrarship of Co-operative Credit Societies has not been long created as a separate post, but experience up to date shows that its incumbent cannot ordinarily be expected to receive Rs. 1,000 a month. At present he is an Assistant Commissioner drawing a salary of only Rs. 766, though he has 10½ years' service in the Commission. The Directorship of Agriculture is also a post which, though ordinarily held by a Deputy Commissioner, is at present held by an Assistant Commissioner of the second class. The Association would strongly urge that all these posts be both classed as superior and paid as superior posts. They are all posts of the highest responsibility and it is most inequitable that any officer should be called upon to carry out the arduous duties attached to them on a remuneration less than that of the lowest grade of Deputy Commissionership. It may also be mentioned that the posts of the Inspector General of Police and the Director of Agriculture, though ordinarily held by members of the Commission, may also be held by an officer of the Police and Agricultural Department respectively.

It follows that officers are recruited for superior posts considerably more numerous than really exist. The sanctioned strength of the Commission is 99, based on a superior cadre of 51, i.e., 49 plus 2 (at 4 per cent.) for temporary posts and deputations. If the 5 posts of Settlement Officers and Registrar continue to be paid as at present, the number of superior posts will be reduced to 46, the sanctioned strength to 89 and the normal recruitment rate from 4.1 to 3.7.

Recent reduction of Superior Posts.—The sanctioned strength has been recently and suddenly curtailed. Last year the number of superior posts ordinarily reserved for members of the Commission was suddenly reduced by 4. Three Berar posts were "listed", and as the Government of India reduced their own number of reserved superior posts, the number of posts under that Government allotted to the Central Provinces was reduced by one. Consequently, the sanctioned strength of the Commission, which had risen to 107, was reduced by a stroke of the pen to 99, and the junior Assistant Commissioners were deprived of all hope of certain posts to fill which they had been recruited, and in which they may be said to have a vested interest. Recruitment since 1903 has, on the whole, been normal, but this sudden reduction in the number of superior posts has converted it from normal to excessive. Similarly, more senior officers have been deprived of posts which they reasonably expected to fill in time, and if it be urged in reply that since their recruitment other superior posts have been added to the cadre, the rejoinder is that they themselves were over-recruited in the period 1898-1903.

The result of all these irregularities is that the Commission contains a large excess of officers in the lower ranks who must wait a long time before they can reach superior posts. The actual strength of officers available to fill the superior posts, excluding those listed, is 107 as against the

sanctioned strength of 99. There are really only 46 superior posts, as follows:—

Normal Number	51
Deduct listed posts	—6
Add Government of India posts	+4
Add 4 per cent. for deputation	+2
Deduct 4 Settlement Officerships and Registrar, Co-operative Credit Societies.	—5
Net total	46

Under the approved scientific scheme of recruitment the strength of the Commission should be 194½ per cent. of the superior posts. The Central Provinces Commission should contain 89 men, of whom 43 would be in excess of the number of superior posts properly so called. Actually the Commission has a strength of 107 men, or 61 over and above the 46 superior posts which can properly be so called. The lower ranks contain 61 men: they should only contain 43.

4. The Commission thus contains a number of men who have very little chance of reaching a superior

post within the time laid down by the Secretary of State, and it is manifest that any reduction in the number of posts available will still further lessen their chances. It was expressly laid down by the last Public Service Commission that listed posts should continue to be filled by existing members of the Indian Civil Service, till the claims of those existing officers had been satisfied, and the Association would urge that no more posts can in bare justice be taken away from the Indian Civil Service till the claims of all existing members of the Commission to fill these posts have been satisfied; the Association would even go further and would ask for a definite pronouncement to the effect that no listed posts can be filled by a member of the Provincial Civil Service so long as an Indian Civil Service man of 8 years' service remains without a superior post. Such a stringent rule would, the Association think, help to prevent careless recruiting.

5. The block in promotion has been aggravated by a scale of pay and grading.

ing which compared with that in other Provinces is extremely unfavourable. The reasons for this inferiority appear to the Association to be purely accidental and historical. The Central Provinces were at the time of their formation administered by a mixed Commission of Military and Uncovenanted Officers with a small sprinkling of officers of the Indian Civil Service obtained from other parts of India or intermittently recruited. To begin with, the Indian Civil Service members of the Commission being few in number had opportunities of obtaining rapid promotion in proportion to their seniority, and the inferiority of the pay of the appointments and the grading was not brought into prominence. But the Central Provinces Commission now only contains one uncovenanted member and even with the inclusion of the members of the old Berar Commission, the amalgamation of which with the Central Provinces Commission is under consideration, Indian Civil Service officers will still constitute almost ninety per cent. of the joint Commission. It is also practically certain that in future all recruitment will be confined to covenanted officers. The Association consider therefore that there is no longer any justification for treating the Central Provinces and Berar

Commission as an inferior service whose pay and grading should be regulated by a scale inferior to that enjoyed in any other province. This inferiority is all the more marked owing to the absence in this province of many prizes to which the covenanted services of other provinces may aspire.

The Association would further point out that the Secretary of State himself has repeatedly affirmed that all the Commissions in India, officered by members of the Indian Civil Service, should be placed on an approximate equality as regards pay and prospects so far as the general line is concerned, and in 1899 he stated definitely that the grading of the Central Provinces Commission could only be regarded as temporary. In spite of these pronouncements, however, thirteen years have passed without any steps being taken to redress the injustice, and the delay has caused a feeling of grave disappointment among the members of the Commission which cannot but react unfavourably on the efficiency of the Administration.

6. The following detailed recommendations for improving the pay and grading of the Commission are submitted by the Association.

In the first place it is unjustifiable anomaly that two Commissionerships in the Central Provinces should be paid at a rate lower than any Commissionership in India save a small and comparatively unimportant one in the United Provinces. The Association consider that this inferiority should be removed and that Commissioners should all be paid at a uniform rate of Rs. 35,000 *per annum*.

Secondly, the grading of Deputy Commissioners and Assistant Commissioners gives great cause for dissatisfaction, as may be seen by comparison with that in force in the United Provinces and Punjab.

Grading.	United Provinces.	Punjab.	Central Provinces.
Deputy Commissioners, First Class.	19	10	4
Deputy Commissioners, Second Class.	21	11	10
Deputy Commissioners, Third Class.	10	13	12
Average given salary per head.	Rs. 1,909	Rs. 1,817	Rs. 1,737
Joint Magistrates on Rs. 1,000—14.			
Assistant Commissioners on Rs. 800—6.	20	14 on 900	4 on 900
Assistant Commissioners on Rs. 700.	20	15 on 700	10 on 700

The Association consider that a strong case exists for raising the pay of the lowest grade of district officer to Rs. 1,800 *per mensem*, and they would press for a division of the Deputy Commissionerships into two equal grades, one of Rs. 1,800 and the other of Rs. 2,250 *per mensem*. Similarly, the 20 appointments of Assistant Commissioner should, the Association think, be divided half and half into two grades of Rs. 900 and 700 *per mensem*.

7. The Association have laid stress on the need of an improved scale of pay and grading, but they would submit that for a Commission of such small numerical strength as that of the Central Provinces no system of grading will ensure a satisfactory flow of promotion.

In support of this view they would point out that in the United Provinces Commission, which is numerically two and a half times the strength of that of the Central Provinces, a position was reached which, in spite of a far superior grading, at one time necessitated the grant of compassionate allowances to individual officers. A similar position is now once more, it is understood, calling for remedial measures in that Commission. Your memorialists would therefore emphasise the fact that even if the proposals put forward in the previous paragraph are accepted they will, though they may secure a slightly more favourable regrading, in no way provide an effectual remedy for the grievances of the Commission or an abiding guarantee against their subsequent recurrence. Any system of grading is moreover marred by the uncertainty as to his salary from month to month felt by every officer near the top or bottom of his grade. Experience has shown that this uncertainty persists not only for months but sometimes for years, and is liable to recur at every stage of an officer's promotion. Such uncertainty must militate against efficiency and therefore constitutes a serious detraction from the merits of the present system of grade promotion. The Association are therefore of opinion that by far the most satisfactory method of giving redress to the grievances of the Commission would be to introduce a time-scale rate of pay. In sanctioning a time-scale for the Political Department the Secretary of State remarked that it provided approximately the emoluments which officers might expect to draw in their Provinces. This scale the Association accept as reasonable. It should, they think, include all those appointments of which the emoluments are less than Rs. 2,500 *per mensem* and should be without prejudice to those local personal and deputation allowances which are at present in existence and attached to certain specified appointments. The scale, as adapted to the Central Provinces and Berar Commission, is set forth in the table appended, but its main features may here be briefly emphasized:—

- (a) A time-scale rate of pay for officers drawing less than Rs. 2,500 *per mensem* based on the Political Department scale which, as the Government of India states, "has been calculated at a rate which will give officers of that Department approximately the emoluments which they might expect to draw in their Provinces."
- (b) A single class on Rs. 35,000 *per annum* for Commissioners so as to bring their emoluments into line with similar officers similarly placed in the other Provinces of India.
- (c) A maximum limit of Rs. 1,500 *per mensem* to be set to the pay of any officer who is not put in charge of a district or in a post of equal standing, but every officer who is put in charge of a district before the completion of his 12th year to receive a monthly charge allowance of Rs. 300 subject to a minimum payment in each case of Rs. 1,250 *per mensem* and a maximum of Rs. 1,500.

It will be observed that the Association do not press for a simple time-scale of pay right through

the service. They recognize that the encouragement of efficiency demands that after a certain point an increase of pay should not depend merely on an officer's increasing age, but should also at certain stages of his service be regulated by his capacity to hold charge of more important duties.

S. The Association recommend the abolition of all rigid restrictions now imposed in the leave rules and their revision so as to allow shorter leaves at more frequent intervals on full pay. It appears to the Association that the present rules are defective in the following respects:—

(a) They do enable officers to defer taking leave when they require it and to accumulate it so as to be able to take periods of leave far longer than necessary. (b) They do not offer sufficient inducements to officers to take leave often enough, and (c) They do not make any provision for compelling officers to take an annual holiday and recreation. The existing leave rules had their origin at a time when the conditions of service in India were very different from what they are now. Formerly people used to stay out in India for a very long period at a stretch, and when they did go home they naturally wanted to spend as long a time as possible there partly because the journey home and out again took a very long time. In those days, therefore, it was natural that officers should wish to take leave as much as two years at a stretch. But no one, the Association think, will argue that a system under which officers absent themselves from their duties for two years is really satisfactory or conducive to the best interests of the Public Service. An officer taking leave for more than one year must more or less lose touch with the conditions of his work out here and must return to India almost as great a stranger as when he first arrived in the country. At present the journey home is such a simple matter that it forms no bar and the only difficulty in the way of shorter periods of leave at shorter intervals is the financial one. The cost of living in India has become so much greater that it is difficult to put by any savings while on duty, and half pay does not go far to pay for the cost of a journey home and out and the expenses of living at home. Then again as regards privilege leave, originally one month's privilege leave a year was intended to permit an annual holiday in the country and there was no idea of its enabling a man by accumulating it to run home for a few weeks. Since travelling became so much quicker this idea has grown up until most people regard privilege leave solely as a leave to be accumulated for three months and the concession of combined privilege leave with furlough, etc., has still further stereotyped this idea. Many officers complain that they have not been able to take anything like all the privilege leave which was due them. If enquiry is made why they have forfeited their leave, it will be found that first of all they have preferred not to take a month's leave when it became due but to let it accumulate, then when it has accumulated they have been unable to take it because they could not afford to or have not thought it worth while or for some other reason, and so by constantly putting off taking it they have ended by losing a greater portion of it. It may be said that the power of combining Privilege leave with Furlough has reduced this loss of Privilege leave,

but as a matter of fact even since that concession was made much of the Privilege leave due to officers is still lost owing to their being unable to afford to take combined leave a greater portion of which is on half pay and, moreover, the concession is only a make-shift remedy for what was recognised as a serious grievance. There is no doubt that much of the sickness and staleness which is to be found among officers of this country is due to their constant sticking to duty for several years together without any change except for short periods of a few days. In the opinion of the Association it is absolutely essential to the proper health and efficiency of officers that they should take a holiday every year and they believe that a remedy might be found in forbidding the accumulation of privilege leave and thereby compelling every officer to take his one month's privilege leave each year. Such a proposal, however much it may be in the interests of those concerned, would probably be very unpopular among most officers who like to be able to accumulate their privilege leave in case they should need it. Though therefore they do not think that the unpopularity of the proposal would necessarily constitute a strong argument against it the Association do think that some alteration in the long leave rules would be necessary in order to compensate for it and they venture to suggest below the lines on which such alteration might be made.

It appears to the Association that on an average every officer needs about 8 months' leave every fourth year. The present rules allow him to take a little more, but as has already been pointed out the rules regarding leave allowances do not enable him to avail himself of it. If he were allowed his leave on full pay there can be no doubt that he would invariably take it as soon as he could get it. The Association's proposal then is that furlough on full pay should be earned at the rate of one month on every six months' active service, the yearly one month's privilege leave to count for this purpose as active service, making a total of 8 years and 7 months' furlough earned in a total service of 25 years. Thus every officer after $3\frac{1}{2}$ years' active service, during the first three years of which he would get one month's privilege leave each year, would be entitled to 7 months' leave on full pay when he could go home and have a thorough change. The leave would of course have to be taken at such a time as might be convenient to the interests of the Public Service: an officer could not be allowed to claim to take his leave at a particular time convenient to himself but would have to take it when he could get it, and would even be liable to be sent on leave when he did not want to go if he had leave due to him and if it was convenient to the Public Service that he should go. It would be necessary to spread the leave absence more or less evenly over the whole year so as to avoid having too many officers absent at one time and too few at another.

Under this scheme privilege leave at the rate of a month a year and furlough on full pay as explained above would be the only kinds of leave ordinarily allowed, but of course it would be necessary to provide in the regulations for the grant of special leave either for ill-health or for urgent private affairs. Such special leave would in the case of urgent private affairs not exceed

6 months, while leave on medical certificate would be for such period as the Medical Officer might declare necessary: in either case the leave would be on half pay only.

The Association calculate that under this scheme the number of officers absent on leave at any time would not exceed 14 per cent. of the strength, and as the existing rules allow for as many as 20 per cent. being absent, it would be possible to reduce the reserve of officers for leave vacancies by 6 per cent.

Under this system the total amount of leave on full pay to be enjoyed by an officer in 25 years' service would be 3 years and 7 months. The Association do not think that it can be said that this is an unreasonable amount of leave to grant to an officer in the course of his service, nor on the other hand do they think that there should ordinarily be any necessity for more. Should, however, in any individual case more leave be required by any officer it will still be open to him to take it on half pay as at present. The object of the proposal is to secure a scheme which will be of the greatest benefit both to the public service and to the officers concerned. To the public service it will secure the maximum efficiency of the officers and will also avoid the long absences for as much as two years at a time which are now permissible. To the officers it will ensure that they have sufficient opportunities of relaxation and change of climate and sufficient means at their disposal to take advantage of it.

9. The first modification in the pension rules which I am desired to propose is the abolition of

the present system of deducting annuity contributions

Pension,

from salaries and the grant of a net non-contributory pension of £1,000 *per annum*. The annuity of the Indian Civil Service is commonly referred to as a pension of £1,000 *per annum*, and the Association speak from experience when they say that it is not realised by many candidates who enter for the examination that half or more than half that amount is contributed by the officer himself. In fact, however, the net pension of this, the premier service, compares by no means favourably with the pensions earned in other appointments in India. For example, pensions rise to £1,000 in the Military Department, and £1,050 in the Medical Service, while certain Barrister appointments yield a retiring allowance of £750 after as little as 11½ years' service. The Association consider that the financial amelioration which their proposal would effect is amply justified by the necessity of improving the attractiveness of the service, but in addition they also desire to urge that the system of contributions is in itself objectionable and unequal in its operation. The only alternative to the present contributory system suggested in the questions framed by the Commission is a non-contributory system varying in amount according to the salary drawn on retirement. The Association would not be prepared to accept any such proportional system as it would tend to stagnation in promotion. On the contrary, they hold that the system of equal pensions after a fixed term of years of approved service is one of the most important privileges of the service and a principal attraction to recruits. But there could be no objection of principle to retaining the equal pensions which are the characteristic of the present system, while abolishing contributions. The unequal incidence of the present contributory system amounts to a

substantial grievance. The original basis of the system was, as the Association understand, that an officer who retires after 25 years' service, after holding ordinary offices, should have contributed half the amount of his annuity himself. If, however, he continues in service after the period, as the more able officers tend to do, his contributions do not cease, but continue or even increase in proportion to the pay of the higher offices to which he probably attains, with the result, it is understood, that a successful officer who attains to the highest appointments and serves his full term of 35 years, pays the whole, or nearly the whole, of his pension himself and receives nothing in reward for his service from the State. As a result of the secret manner in which the annuity fund is administered, which in itself the Association regard as open to grave objection, the Association are not in a position to give verified figures on these points. In any case the anomaly is patent, that the higher the office that he has held and the longer his service to the State, the less does he receive by way of pension. There is, moreover, a widespread opinion which, again, the Association are not at present in a position to verify that the contributions at present exacted would be capable of producing a better return if invested, and it may at least be urged as certain that whatever the advantages of the contributory system when instituted, they have been greatly diminished by the wider opportunities for private investment which now obtain. The Association would, however, have no objection to the retention of a contribution towards a Provident Fund which should form an addition to the annuity.

The second principal modification which the Association would make in the rigidity of the present pension rules is that an inefficient officer should be retired at a comparatively early stage of service on a proportionate pension. They do not wish to be understood as admitting that cases in which such a system requires to be applied are of any frequency; on the contrary, they are convinced that they are of the rarest occurrence. Cases, however, do occasionally occur in which officers show themselves unfit to discharge what may be described as the staple duties of the service, *viz.*, the control, administrative or judicial, of a district, and the Association consider it detrimental to the interests both of the public and of the Service that such officers should be retained. In framing a scheme for the retirement of such officers the Association would like to press upon the attention of the Commission three main proposals, *viz.*, that the conduct of such proceedings should not be left exclusively to the Secretariats, but that the first-stage in each case should be an enquiry before a special Commission composed of members of the Service; secondly, that the scale of pensions should be the same as that for retirement on Medical Certificate, subject to the improvements in the latter suggested below, and that the orders in each case should be passed by the Secretary of State and not by the Local Government or the Government of India. The Association desire particularly to urge that no change be made in the present system, under which orders for the retirement, as for the appointment, of a Civilian, issue from the Secretary of State alone. Unless adequate safeguards are provided in this matter, recruiting is certain to be adversely affected, and the Association feel strongly that the authorities in India are not in the position of absolute detachment which

is necessary for proper judgment in such matters. They do not lose sight of the fact that the delegation of the power to order retirement to one of the authorities in India would leave the way open for an appeal to the Secretary of State, but they believe that such cases are more likely to be judged on their merits by that authority if they come before him as the sole and final tribunal.

Thirdly, the Association consider that an improvement is required in the scale of pensions granted on retirement on medical certificate, particularly in the case of senior officers. The present maximum invalid pension is £700 after 25 years' total service, of which less than 21 years has been active. The Association think that it will be conceded that this limit imposes an unduly severe penalty on senior officers whose health breaks down, and that it is likely to lead to the retention in service of the inefficient. They are of opinion that the difference between a full pension and a medical pension in the last few years of an officer's service should be minimised in such a manner as to correspond more nearly with the conditions of other services where no distinction between the two classes of pension exists. The Association would urge that a scale of medical pension working down from a maximum of £945 *per annum* after 24 years' service be adopted.

10. In conclusion, the Association desire to submit certain recommendations which do not arise directly from the questions as framed by the Commission, but which have an indirect bearing on the emoluments of the Service and appear to the Association to be covered by the terms of the reference to the Commission.

In the first place, I am to urge that the actual expenses of officers on transfer should be paid by Government. The travelling allowances at present granted being on the same scale as for ordinary touring within an officer's district are altogether inadequate to meet the expenses of transfer from one post to another. When transferred in the interest of the State the whole cost of moving the horses and conveyances which his duties require him to maintain, as well as furniture and personal effects, has to be paid by the officer himself, while a married man has also to meet the expenses of his wife and family. There is a very strong feeling, which the Association endorse, that an officer on transfer should be reimbursed the actual cost of the move. The Association do not think it necessary to give detailed

examples of the heavy expenditure which falls on officers under the present rules, since they understand that ample material for working out a detailed scheme is already in the hands of the Government of India.

Secondly, I am to invite attention to the disquietude and apprehension with which the Service regards the arrangements made for medical attendance in the mufassal, which are frequently unsuitable, and in the case of married officers open to objection of the most serious character. The Association desire to urge most strongly that the medical service of Government should be so maintained as to provide a fully-qualified European medical officer for every district. They entertain no doubt that if suitable provision is not made in this matter recruitment will be very seriously affected.

ENCLOSURE.

Proposed scale of pay for members of the Central Provinces Commission.

Years of Service.	Rs. per mensem.
1	(1) 450
2	550
3	600
4	650
5	700
6	750
7	850
8	950
9	1,050
10	1,150
11	1,250

(1) An increase of Rs. 50 in the initial pay is recommended. This to be raised to Rs. 500 after the officer has passed his departmental examination.

Years of Service.	Rs. per mensem.	
12	(2) 1,500	(2) No officer not in charge of a district to draw more than Rs. 1,500 <i>per mensem</i> even though he may have completed 12 or more than 12 years' service.
13	1,600	
14	1,700	But any officer whose pay is less than Rs. 1,500 who is put in charge of a district to receive a charge allowance of Rs. 300 <i>per mensem</i> with a minimum pay in each case of Rs. 1,250 and a maximum of Rs. 1,500.
15	1,800	
16	1,950	
17	2,050	
18	2,150	
19	2,250	
20	2,350	
21	2,400	
22	2,400	
23	2,400	
24	...	

All Commissioners to receive Rs. 35,000 *per annum*. There are only 4 Commissionerships in these Provinces. Appointment to these posts is in future to be made strictly by selection. There is therefore every reason why they should be kept in a single class.

APPENDIX III.

Officials, Non-officials and Associations in the Central Provinces and Berar who, at the request of the Royal Commission, furnished written answers to the interrogatories printed on pages v—xxxviii of this volume, but who were not orally examined.

(a) Officials.

- (1) Sir H. V. Drake-Brockman, I.C.S., Judicial Commissioner.
- (2) H. A. Crump, Esq., I.C.S., Commissioner, Jubbulpore Division.
- (3) J. Walker, Esq., I.C.S., Commissioner, Nagpur Division.
- (4) C. E. Low, Esq., C.I.E., I.C.S., Director of Agriculture and Industries.

- (5) F. C. Turner, Esq., I.C.S., Deputy Commissioner, Bhandara.
- (6) Sir A. Blennerhassett, Bt., I.C.S., Third Secretary to the Hon'ble the Chief Commissioner.
- (7) R. Faridooji, Esq., I.C.S., Commissioner of Excise.
- (8) G. L. Corbett, Esq., I.C.S., Settlement Officer, Sangor.

APPENDIX III—continued.

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|---|---|
| <p>(9) D. G. Mitchell, Esq., I.C.S., Divisional and Sessions Judge, Chattisgarh.</p> <p>(10) E. M. Kiernander, Esq., Sub-Divisional Officer, Ellichpur.</p> <p>(11) S. Shahpurji, Esq., Extra Assistant Commissioner, Akola.</p> <p>(12) R. B. Sheorey, Esq., Extra Assistant Commissioner.</p> <p>(13) W. R. Dhohley, Esq., District and Additional Sessions Judge.</p> <p>(14) A. G. Wright, Esq., Director of Public Instruction.</p> <p>(15) F. W. A. Prideaux, Esq., Bar-at-Law, Divisional Judge, Nerbadda.</p> <p>(16) Lieutenant-Colonel H. E. Banatwala, I.M.S., Civil Surgeon, Amraoti.</p> | <p>(20) Muhammad Abdul Kadir, Pleader, Amraoti.</p> <p>(21) M. B. Dadabhoy, Esq., C.I.E., ex-Member of Governor General's Council.</p> <p>(22) Debendra Nath Chaudhuri, Esq., Pleader, Raipur.</p> <p>(23) Diwan Bahadur Ballabha Dass, Banker, Jubbulpur.</p> <p>(24) Khan Bahadur Ghulam Mustfa, Landlord.</p> <p>(25) Rai Bahadur H. N. Mitra, Bar-at-Law, Khandwa.</p> <p>(26) D. V. Bhagwat, Esq., Director, Oil Mills, Akola.</p> <p>(27) H. D. Coggan, Esq., General Manager, Central India Mining Co.</p> <p>(28) K. B. Gupta, Esq., Pleader, Jubbulpur.</p> <p>(29) N. K. Kelkar, Esq., Pleader, Balaghat.</p> <p>(30) G. A. Phillips, Esq., Agent, Bank of Bombay, Akola.</p> |
|---|---|

(b) *Non-Officials.*

- (17) Sir G. M. Chitnavis, K.C.I.E.
- (18) Nawab Muhammed Salemullah Khan, Khan Bahadur, C.I.E.
- (19) D. K. Kane, Esq., Member of the District Board, Yeotmal.

(c) *Associations.*

None.

APPENDIX IV.

Officials, Non-officials and Associations in the Central Provinces and Berar who furnished written answers to the interrogatories printed on pages v—xxxviii of this volume in response to a notification published in the Central Provinces Gazette, but who were not orally examined.

(a) *Officials.*

- (1) R. Pantin, Esq., I.C.S., Deputy Collector, Raipur.
- (2) R. N. Trivedi, Esq., Sub-Judge, Akola.

- (4) S. V. Khotkar, Esq., Amraoti.

(c) *Associations.*

- (b) *Non-officials.*
- (3) H. S. Gour, Esq., Bar-at-Law, Nagpur.
- (5) Berar Provincial Congress Committee (M. V. Joshi, Esq.)

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 Nomination of candidates for direct recruitment by, suggestion that lists should be kept in offices of, *Thakur* 35,595, 35,638, 34,742-8
 Number and proposals re, *Hullah*, 33,528-30; *Nelson*, 34,890.
 Only one class advocated, and particulars re salary, *Moss-King* 33,896

PAY:

Pay and grading, statement, *Hullah* 33,531
 Scheme, *Hullah*, 33,530; *Nelson*, 34,655, 34,663.
 Pensions, grant of additional, advocated, *Hullah*, 33,550; *Stocock*, 36,349.
 Post, when listed, should be held on full pay, *Stanyon* 34,246
 Procured by open competition satisfactory, *Mudholkar* 37,187
 Selection from P.C.S., particulars if separate cadre organised, *Stocock* 36,626-9

Commissioners, Assistant:

Alteration of title to Assistant Collector; only objection would be sentimental one, *Nelson* 34,820
 Acting in superior grade does not involve increased responsibilities, *Nelson* 34,659
 Appointments, number of, *Hullah* 33,528
 in Executive branch, number appointed, *Hullah* 33,565

FIRST CLASS:

Cadre cut down by abolition of one post, *Hullah* 33,669
 Indian Civil Service recruits of many years' standing still serving as, *Hullah*, 33,531; *Stocock*, 36,308; *Dick*, 36,896.

Commissioners, Assistant—continued.**LISTED POSTS:**

Two merged in P.C.S., *Hullah*, 33,503, 33,669-70; *Thakur*, 35,593, 35,606; *Stocock*, 36,314.
 should be Made responsible for probationers in district, scheme, *Thakur* 35,598
 Number, *Hullah*, 33,529; *Thakur*, 35,720-2.
 Number fixed solely with view to number of superior posts open to Indian Civilian, and posts cannot be listed, *Nelson* 34,606

PAY:

Grading:
 Proposals re, *Hullah* 33,530
 Statement, *Hullah* 33,531
 Rates of, *Hullah* 33,529
 Reasonable, *Hullah* 33,701
 Scheme re pay and grading, *Nelson* 34,655
 Time-scale, advocated up to tenth year of service and particulars, *Khan* 35,338-43
 Promotion over heads of members recruited from P.C.S. objected to, and particulars, *Stocock* 36,525-8, 36,535-7

Commissioners, Chief:

Extra pension suggested for, *Stocock* 36,349
 Nomination to P.C.S. of candidates from good families should be entrusted to administration or, but Board not recommended, *Paranjpe* 36,000-1
 Power to appoint probationers as reserve, if necessary, *Thakur* 35,602
 Power to grant appointments to Europeans and Eurasians not having secured a degree and particulars and remarks re, *Thakur* 35,818, 35,822-3
 Power to exempt Indians of noble family under exception to rules re recruitment, should be granted to, *Thakur* 35,829-38
 Rates of pay, and number of posts, *Hullah* 33,529
 Recommendations re sending policemen to training school sent to, *Stocock* 36,455

Commissioners, Deputy:

Alteration of title to Collector, only objection would be sentimental one, *Nelson* 34,820
 Acting in superior grade does not involve increased responsibilities, *Nelson* 34,659
 Age of appointment as, too high, and suggestions, *Stocock* 36,308, 36,389-91
 Clerks, prospects of, *Hullah* 33,792-4
 District Judge's work formerly done by, particulars, *Mudholkar* 37,281
 Duties vary with district, *Khan* 35,297, 35,330-5
 Experience of military officers recruited in India as, and number, *Kelkar* 37,671
 Functions as district magistrate and head of police would be lessened by separation of judicial and executive branches, *Khan* 33,314-7

HOURS OF WORK:

Extra work in camp, *Khan* 35,393
 Vary according to man and district, but six average, and not unduly heavy, and particulars, *Khan* 35,299-300, 35,392
 Indians not considered fit for, and reasons, *Moss-King* 33,874, 33,913-4, 34,125, 34,158-63
 Listing of more posts advocated, *Hullah*, 33,856; *Walayatullah*, 34,943, 34,982, 35,012; *Thakur*, 35,807-9; *Paranjpe*, 35,908; *Kelkar*, 37,673.
 should be Made responsible for probationer in district, scheme, *Thakur* 35,598
 Must be district magistrate with magistracy subordinate to him, scheme, *Dick*, 36,903, 37,131-7, 37,174-7
 Number of, *Hullah*, 33,528-9; *Dick*, 37,178-9.
 Officer acting as, for eight years who has never drawn pay or reached grade of, and particulars re, *Nelson* 34,660

PAY:

Present rates, *Hullah*, 33,514, 33,529; *Nelson*, 34,640; *Stocock*, 36,330, 36,334.
 Proposed rates, *Hullah*, 33,530-1; *Nelson*, 34,655.
 Time-scale should be applicable to, *Khan*, 35,344-7; *Stocock*, 36,339.
 Relations with Indians, particulars re, *Shukla* 35,180-1

Commissioners, Deputy—continued.
 Selected, junior members are sent to, for training after taking up appointment, *Nelson* - 34,629
 Twenty-eight with five Commissionerships open to them proposed, *Hullah* - 33,816
 (see also Collector and District Magistrate.)

Commissioners of Excise:
 Extra Assistant, abolition of post, proposed, *Hullah* 33,574
 Listed posts should include the post of, *Kolhatkar* 37,829
 Local allowances payable to, *Hullah* - 33,734
 Personal assistant to, removal of post from P.C.S., and inclusion in provincial service of excise department, advocated, *Thakur* - 35,600

Commissioners, Extra Assistant:
 ALTERATION OF TITLE IN FAVOUR OF TITLE OF DEPUTY COLLECTOR:
 only Objection would be a sentimental one, *Nelson* 34,820

Proposed, *Walayatullah* - 34,945, 35,059-62
 Appointed to officiate as Deputy Commissioners during temporary vacancies, *Thakur* - 35,606
 Burma, treated as first-class officers for travelling and daily allowance, *Thakur* - 35,630
 Cases of refusals of posts as, owing to better prospects outside P.C.S., and probability of more such cases in future, *Thakur* - 35,595, 35,737-40
 Criminal cases tried by, and legal qualifications should be insisted on, *Dixit* - 36,172, 36,206

GRADING:
 Alterations necessary, *Kolhatkar* - 37,855
 Present grading, *Thakur*, 35,593; *Paranjpe*, 35,942
 History of, and particulars, *Thakur*, 35,593; *Paranjpe*, 35,942:

NUMBERS:
 Increase necessary, *Dixit* - 36,026
 Present numbers, *Kolhatkar* - 37,852
 Officiating, rates of pay, and number of posts, *Hullah* 33,583

PAY:
 Comparison with that of District Judge, *Kelkar* 37,799
 Improvement suggested, *Walayatullah*, 34,947, 34,950; *Shukla*, 35,129; *Thakur*, 35,609, 35,611; *Khan*, 35,253, 35,402; *Dixit*, 36,172; *Kolhatkar*, 37,852.

Travelling allowance:
 Amount allowed, and increase advocated, *Kelkar* 37,800-3
 of Second-class officers given for purposes of daily allowances, and suggestion, for treatment as first class, *Thakur* 35,630, 35,682, 35,749-50
 Probationary, rates of pay, and number of posts, *Hullah*, 33,583; *Khan*, 35,253, 35,403.
 Promotion to, particulars of, *Dixit* - 36,172
 Tahsildars successful as, *Thakur* - 35,595

TEMPORARY:
 Appointment on account of lack of men in service, and work and particulars *re*, *Walayatullah* 34,937
 Rates of pay and number of posts, *Hullah* - 33,583
 Title dropped, *Hullah* - 33,583
 Transfers, loss incurred through, and reasonable actual expenses on, suggested, *Thakur* - 35,630, 35,749
 Work, particulars *re*, and case of overwork, *Thakur* 35,654-60, 35,692-8, 35,719, 35,847-53

Commissioners, Financial:
 Extra pension suggested for, *Slocock* - 36,349
 Rates of pay, and number of posts, *Hullah* 33,529

Commissioners, Judicial:
ADDITIONAL:
 First, rates of pay, and number of posts, *Hullah* 33,529
 Post should be held on full pay, *Stanyou* - 34,246
 Second, rates of pay and number of posts, *Hullah* 33,529

COURT:
 Consists of four judges, and particulars *re*, *Stanyou* 34,311, 34,326-8, 34,392
 Pay, two-thirds rule not approved, *Kolhatkar* 37,845

Commissioners, Judicial—continued.
COURT—continued.

Registrar of:

Deputy, pay same as for subordinate judges in Judicial Branch, *Hullah* - 33,565
 Local allowances payable to, *Hullah* - 33,734
 Extra pension suggested for, *Slocock* - 36,349
 Listed posts should include one of, *Paranjpe*, 35,953, 35,957; *Kelkar*, 37,682; *Kolhatkar*, 37,673, 37,829.

Number, *Hullah*, 33,529; *Kelkar*, 37,673.

Number included in Civil Service cadre, *Hullah* 33,716

One post should be filled by barrister or pleader if number of posts increased, *Kelkar* - 37,682

One post held by non-Civil Service man, and reason, *Hullah* - 33,717-22

PAY:

Higher than Commissioners at present, proposed, *Hullah* - 33,816

Rates of, *Hullah* - 33,529

no Time to make personal inspections, *Stanyou* 34,313

Work of, *Dixit* - 36,200

Commissioners of Settlement and Agriculture:

Assistant, numbers of P.C.S. appointed to act as, *Thakur* 35,593, 35,606

Local allowance, payable to, *Hullah* - 33,734

Rates of pay, and number of posts, *Hullah* - 33,529

Communities, backward, representation in public service (see Class representation under Recruitment).

Congress, Indian, question of agitation if recruitment of Indians by open competition restricted to one-third, and particulars, *Mudholkar* - 37,322-3, 37,325, 37,332, 37,335-6

Conditions of Service, I.C.S.:

Inferior posts, system approved, *Hullah*, 33,512, 33,673-7; *Nelson*, 34,638; *Khan*, 35,232.

QUINQUENNIAL EXAMINATION:

Present system not adequate to regulate rate of recruitment and flow of promotion, and reasons, *Nelson* - 34,650

Sufficient, except in certain cases, *Hullah* 33,524

SUPERIOR POSTS:

All posts entered as, do not carry salary of more than Rs. 1,000 per mensem, *Nelson* 34,641, 34,803-4

Allowance of 35 per cent. on, excess of junior officers not caused by, *Hullah*, 33,519; *Nelson*, 34,645.

Approved, *Hullah* - 33,511

Approved and no change in, advocated if age of recruitment lowered, *Nelson*, 34,637; *Slocock*, 36,308, 36,329.

no Difficulty in working with number of, *Nelson* 34,641

Five, held by, junior officers not drawing Rs. 1,000, and should be included in inferior posts, *Moss-King* - 33,888-9

Giving future judicial and executive officers experience in both branches, arrangement suggested, *Hullah* - 33,687

Incorrect list of, and difficulties of working owing to, *Slocock* 36,331-2

Large proportion of junior officers filling, in 1910 and 1909 due to amount of leave taken by senior officers, *Hullah* - 33,638-9

List incorrect, and corrections, *Hullah* - 33,514

Number, *Nelson* - 34,848

Number allowed for temporary appointments corresponds with actual experience, *Hullah*, 33,517; *Nelson*, 34,599, 34,642.

Number of officers below, should be reduced, *Moss-King* - 34,116

Officers on deputation in, list, *Hullah* - 33,517

Ordinarily held by officers in I.C.S. or members of Commission, *Hullah* - 33,515

Reduction of period before obtaining:

not Approved, *Moss-King* 34,114-24, 34,146-54

Block in promotion caused - p. 306

Extent, and opinion *re*, *Nelson* - 34,806-9

Conditions of Service, I.C.S.—continued.**SUPERIOR POSTS—continued.**

Five years suggested, *Moss-King* 33,887, 33,928-9
would necessitate reduction in cadre, *Moss-King*
33,929-31
undesirable, *Hullah* - - - 33,609, 33,673-7
System approved, *Moss-King*, 33,887, 33,928-9;
Nelson, 34,637; *Khan*, 35,251; *Paranjpe*, 35,935.

TEMPORARY, METHOD BY WHICH OFFICERS RECRUITED AGAINST, ARE SHOWN IN LOWEST GRADE:

Satisfactory, *Hullah* - - - - 33,518
Unsatisfactory, *Nelson* - - - - 34,644
Training in executive functions valuable for either
judicial or executive posts afterwards *Hullah*
33,673-7

Co-operative Credit Societies, Registrar of:

Entered as superior post, but does not receive
superior pay, *Moss-King*, 33,888; *Nelson*, 34,641.
Listing of one post advocated, *Kelkar* - - 37,673
Local allowances payable to, *Hullah* - - 33,734

PAY:

Rates of, and number of posts, *Hullah* - 33,529
Scheme, *Hullah*, 33,515, 33,633-5; *Nelson*, 34,641.
Post should be made superior, and be held by
Deputy Commissioner, *Hullah* - - - 33,515,
33,633-5
Service, and length, *Nelson* - - - - 34,804

Cost of living, increase, *Shukla*, 35,192-3; *Sloccock*,
36,354.

Council(s):

Executive, creation of new, *Mudholkar* - - 37,191
Legislative, expansion and elevation, *Mudholkar*
37,191

MEMBERS:

One should belong to judicial branch, *Mudholkar*
37,196, 37,607, 37,612
special Pension, advocated, and particulars, *Nelson*
34,677

Secretary of State's (see under India Office).

VICEROY'S:

Extra pension suggested for, *Sloccock* - - 36,349
Permanent membership of, should be crowning
point of Indian career, and in no case lead to
headship of province, *Nelson* - - - 34,684

Courts, High:

strong British element necessary in, *Dick* - 36,903
European element expected in, *Dixit* - - 36,268
Lack of despatch in conducting trials, *Khan* - 35,198
Pensions, arrangements, Sir Ralph Benson's views
agreed with, *Khan* - - - - 35,245
Recruitment from the Bar, no intention to stop,
Mudholkar - - - - 37,608

Courts, Small Cause:

Judges (see under Judges).
Merged in P.C.S., and consequent reduction of
salaries, not approved, *Kolhatkar* - - 37,828
Powers have been made more extensive than should
be the case, *Stanyon* - - - - 34,315

Covenant, revision advocated, *Nelson* - - 34,684

Criminal Procedure Code:

Checks on injustice by, *Khan* - - - 35,235
powers of Magistrate to call witnesses for cases
under, *Sloccock* - - - - 36,620-2

D.**Departmental Examination (see under Training).**

Deputation posts, number and nature of, in 1912,
Hullah - - - - 33,640-1

Deputy Collectors (see Collectors, Deputy).

Deputy Commissioners (see Commissioners, Deputy).

Deputy Tahsildars (see Tahsildars, Deputy).

Dick, George Paris, evidence of - 36,895-37,186

Director of Agriculture (see under Agricultural
Department).

District and Sessions Judges (see Judges, District
and Sessions).

District charges, Englishmen preferred by Indians,
Nelson - - - - 34,611

District Officers:

European, overworked, *Shukla* - - - 35,121-3
Reduction in power or influence of, would cause
general slackening of administration, *Nelson* 34,653
Relations with Indians, particulars, and suggestions,
Shukla - - - - 35,182-4

Districts:

Apportionment of judicial officers over, particulars,
Mudholkar - - - - 37,281
too large, and sub-division advocated, *Dick*
36,895, 36,967-74, 37,007-9

Divisional Judges (see Judges, Divisional and Sessions).

Dixit, Moro Rajaram, evidence of - 36,141-36,302

E.**Education:**

B.A.'s, number of, per annum, *Paranjpe* - 36,043-4
Development, *Dick* - - - - 36,895

AT PUBLIC SCHOOL:

Value of, *Moss-King* 33,870, 33,898-900, 33,870,
34,067, 34,074-82
Schools, first-class European, none, *Thakur* - 35,820

EFFECT OF SIMULTANEOUS EXAMINATION ON:

would be good, *Mudholkar* - - - 37,422-5
would not React unfavourably, *Paranjpe* 36,068

Educational Department:

Admission of Indians into service rare, *Kelkar*
37,661
Head of Department should be member of I.C.S.,
Dick - - - - 36,910
Instances of Civil Servants taking charge of, *Kelkar*
37,666
Pension, additional, to certain officers of high rank,
may be sanctioned on certain conditions, *Hullah*
33,550
Time-scale satisfactory, *Paranjpe* - - - 35,960
Ellichpur, sub-divisional officers of, local allowances
payable to, *Hullah* - - - - 33,734

Engineering Department:

Imperial branch of, very few Natives of India obtain
admission into, since abolition of Cooper's Hill
College, *Kelkar* - - - - 37,661
Time-scale working satisfactory in, *Paranjpe* - 35,960

Engineers:**ASSISTANT:**

Treated as first class officers for travelling and
daily allowances, *Thakur* - - - 35,630
Chief, pension, amount, *Hullah* - - - 33,550

Eurasians:

Number in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102.
Reversion to British type of character possible under
favourable conditions, *Stanyon* - - 34,555-8
Training, particulars, *Stanyon* - - 34,455-66

European officials:

Closing of open competition against Indians,
advocated if any danger of swamping, *Sloccock*
36,305, 36,360
Comparison with Indian, *Nelson*, 34,611; *Dixit*,
36,160, 36,292-3.
no Danger of swamping, by Indians, and particulars,
Dixit - - - - 36,142, 36,248-52

EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS:

Advocated and suggestions, *Nelson*, 34,599;
Shukla, 35,081, 35,111-8; *Dixit*, 36,154, 36,181,
36,290-2; *Sloccock*, 36,474; *Maitak*, 36,782, 36,800
-2; *Dick*, 36,895, 37,067-8, 37,072-3; *Mudholkar*,
37,191, 37,208, 37,254, 37,331, 37,402,
37,543-5; *Kolhatkar*, 37,882.
Fixing of, not compatible with idea of efficiency
as first consideration, *Paranjpe* - - 35,900
in Judicial branch not necessary, *Dixit* - 36,188

European Officials—continued.**EMPLOYMENT OF MINIMUM PROPORTION IN HIGHER POSTS—continued.**

Importance of, and no danger of swamping by Indians, *Paranjpe*, 36,064-6; *Mudholkar*, 37,191, 37,245, 37,251-3, 37,292-8, 37,319-20, 37,325, 37,402, 37,428-34, 37,545-6.

Importance of preserving and obtaining superior class of men, and particulars, *Sloccock* - 36,354

Increase in number of, *Khan* - 35,226, 35,413-24

Main consideration in view of Government, but British element preferred to, *Mudholkar* 37,191 37,392-8, 37,428-34

MAINTENANCE OF PROPORTION:

Importance of, *Moss-King*, 33,874, 34,127, 34,129-30; *Stanyon*, 34,203, 34,256; *Walayatullah*, 34,922-3, 35,037-43; *Mudholkar*, 37,191, 37,252-3.

PREFERRANCE:

Advocated, and financial considerations with regard to, *Khan* - - - - 35,196, 35,360-62

Necessary in higher services, *Nelson* - - - 34,599

Exchange Compensation Allowance (see under Pay, I.C.S.).**Excise:**

Commissioner (see Commissioner of Excise).

Department of: removal of ten posts from Provincial Civil Service to, advocated, *Thakur* 35,600-1, 35,799

Executive Branch, I.C.S.:

Bifurcation between Judicial Branch and (see under Judicial Branch, I.C.S.).

Europeans, minimum of, advocated, *Dixit* - 36,290

Examination, on present lines suitable, and scheme, *Mudholkar* - - - 37,196, 37,274, 37,583-95

Judicial functions, combination and separation (see under Judicial Branch, I.C.S.).

Junior executive officers should sometimes be interchanged with judicial, *Hullah* - - - 33,686

Larger number of officers employed in, *Kelkar* 37,748

Magisterial functions, continuance advocated till separation of judicial effected, *Kolhatkar* 37,893-4

PENSIONS:

Suggestions re special, *Hullah*, 33,550; *Moss-King*, 33,892; *Nelson*, 34,677; *Khan*, 35,246.

(see also Pensions, I.C.S.)

PROBATION:

Schemes, *Stanyon*, 34,211; *Mudholkar*, 37,212, 37,216, 37,417-8; *Kolhatkar*, 37,831, 37,842.

(see also Probation, I.C.S.)

RECRUITMENT:

from I.C.S. more suitable for, than for Judicial Branch, *Dixit* - - - 36,188, 36,289

Scheme, *Kolhatkar* - - - 37,811, 37,866-72

(see also Recruitment, I.O.S.)

Separation of Executive and Judicial functions (see under Judicial Branch, I.C.S.).

Staff, inadequate, *Khan* - - - - 35,301

TRAINING:

in Judicial work, advocated, *Kolhatkar* - 37,895

in Law, increase not required, *Stanyon*, 34,223; *Khan*, 35,228, 35,286.

(see also Training, I.C.S.)

Executive Branch, P.C.S.:**CADRE:**

Increase required, *Walayatullah*, 34,937, 34,988-92; *Dick*, 36,935.

Leave reserve suitable, *Hullah* - - - 33,575

Revision, effect of last, *Hullah* - - - 33,583

Revision of, under consideration, *Hullah* - 33,574

"Self-contained," and no officiating promotion given, *Hullah* - - - 33,585

Strength of, *Hullah*, 33,565; *Thakur*, 35,592-3, 35,601; *Kolhatkar*, 37,852.

System of fixing strength, *Hullah* - - 33,574

CLASSES:

All duly represented, *Dick* - - - 36,934

Hindus, inadequately represented, *Paranjpe* 35,945

Functions and importance of, *Walayatullah* 34,947, 34,989-90

Judicial functions, combination and separation (see under Judicial Branch, P.O.S.).

Knowledge of law as important to, as to judicial officer, and candidates for should be law graduates, and particulars re, *Thakur* - - - 35,595

Executive Branch, P.C.S.—continued.

no Listed post held permanently by members of, and particulars, *Walayatullah*, 34,948; *Thakur*, 35,606.

PAY:

Alterations suggested, *Hullah*, 33,741, 33,584; *Khan*, 35,253, 35,404; *Kolhatkar*, 37,852.

Revision, effect of last, *Hullah* - - - 33,583

Travelling allowance, officers on Rs. 500 only granted, at 2nd class officer's rates, *Hullah* 33,583

(see also Pay, P.C.S.)

PROMOTION:

Number of officers superseded for, *Hullah* 33,578, 33,622

Particulars re, *Paranjpe* - - - 35,942

Prospect of slight block in, *Hullah* - - 33,577

(see also Promotion, P.C.S.)

RECRUITMENT:

from Clerical service, more formerly, *Hullah* 33,795

by Competitive examination:

Advocated, *Kelkar* - - - 37,680

not Advocated, *Dixit* - - - 36,213-4

Partly advocated, and proportion and particulars, *Walayatullah* - - - 34,933, 35,032-3

Direct, number taken up with, no previous training and success, *Thakur* - - - 35,595

Direct appointment by competitive examination for half, appointment from subordinate services for two-sixths, and nomination of residents for one-sixth advocated, *Mudholkar* 37,228, 37,230, 37,283, 37,295

by Direct nomination, and promotion from subordinate service, and suggestions re, *Walayatullah* 34,932-3, 35,022

only Graduates admitted, *Paranjpe* - - 35,943

Graduate qualification should apply to Anglo-Indians as well as Indians, *Dick* - - 36,932

Normal rate, *Hullah* - - - 33,577

of Officers from other services, most of officers would not have started on appointments below Rs. 50, *Hullah* - - - 33,785-6

Particulars re, *Paranjpe* - - - 35,942

Reservation of percentage of posts for hereditary claimants, approved, *Paranjpe* 35,943, 35,997-6004, 36,058-9

Riding as necessary qualification, advocated, *Walayatullah* - - - 34,930

Rules: appointments by nomination, standard of ability should not be lowered, and particulars re qualifications, *Walayatullah* 34,930, 35,023-4

Selection as at present with preference to law graduates advocated, *Dixit* - 36,172, 36,210-2, 36,216, 36,232-3

(see also Recruitment, P.C.S.)

should be Relieved entirely from Judicial work if separation from Judicial takes place, *Kolhatkar* 37,853, 37,891

TRAINING:

System, *Hullah* - - - - 33,571

(see also Training, P.C.S.)

WORK OF:

Criminal, done by, *Hullah*, 33,580; *Dixit*, 36,176.

Criminal, should be transferred to judicial branch, *Dixit* - 36,176, 36,206, 36,226-31, 36,297-8

Details of, *Walayatullah*, 34,989; *Thakur*, 35,660-7.

Revenue cases tried by, *Hullah* - - - 33,580

Executive Councils, creation of new, *Mudholkar* 37,191

Executive Subordinate Service, number and pay, and grading of officers and scheme for improvement, *Kolhatkar* - - - 37,852

Extra Assistant Commissioners (see Commissioners, Extra Assistant).

F.

Family Pension Fund (see Indian Services Family Pension Fund).

Financial Commissioners (see Commissioners, Financial).

Financial Department:

- Instances of Civil Servants taking charge of, *Kelkar* 37,666
 Time-scale, particulars re, *Nelson* 34,662
- Forest Department:**
 Pensions, additional, to certain officers of high rank, may be sanctioned on certain conditions, *Hullah* 33,550
 Time scale satisfactory, *Hullah*, 33,539; *Nelson*, 34,662.
- Furlough (see under Leave).**

G.**General Provident Fund (see Provident Fund).**

Government of India, Officers on deputation under, number, *Hullah*, 33,614-6; *Moss King*, 34,121

Government of India Act, 1833:

- Revocation or modification unnecessary if recruitment of Indians restricted, *Mudholkar* 37,189, 37,191, 37,382-3
 not Violated by present system of recruitment, *Stanyon*, 34,511-4; *Nelson*, 34,582,

Government Scholarships (see Scholarships).**Grading (see under Pay).****H.**

Head of a district, reduction in power or influence of would cause general slackening of administration, *Nelson* 34,653

Heads of Provinces, Pensions of:

- Grant of additional, after 3 years' service, advocated, *Hullah* 33,550
 Special, advocated, and particulars re, *Nelson* 34,677

High Courts (see Courts, High).

Higher services, recruitment, distinction in principle from subordinate services advocated, *Dixit* 36,234-5

Hindus:

- Compulsory probation in England, obstacle in way of, *Kelkar* 37,676
 Education, honours in B.A. and B.Sc., taken by, statistics and increase, *Slocock* 30,305, 35,468
 Inadequately represented in executive branch of P.O.S., *Paranjpe* 35,945
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Hindustani, Brahmans and Kayastha, number in judicial branch of P.O.S., *Kelkar* 37,681

Home Civil Service:

- Examination, combination with Indian Civil Service Examination (see under Indian Civil Service Examination).
 Method of selection and appointment suggested for recruitment from P.O.S. to I.C.S., practised in, and complaints, *Slocock* 36,551-3

House accommodation, at rental of not more than 5 per cent. of officer's pay, advocated, and particulars, *Walayatullah* 34,967, 35,009-11, 35,017-21

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I.

Imperial Service, separate cadre, confined to Indians and recruited in India, advocated, and scheme, *Stanyon* 34,198, 34,200, 34,203, 34,257-8, 34,266-72, 34,337-51

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- RESERVATION OF CERTAIN POSTS IN:**
 for Members of I.C.S., advocated, and particulars re, *Nelson* 34,684, 34,759-69
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Secretaries, importance of knowledge of India by, *Slocock* 36,519, 36,522

SECRETARY OF STATE'S COUNCIL:

- Indians appointed to, *Mudholkar* 37,191
 Term of appointment should be reduced from 7 to 3 years, *Nelson* 34,684, 34,758

Indian Civil Service:

- Amalgamation of Central Provinces and Berar cadres applied for, but not yet sanctioned, *Hullah* 33,601-2
 Class distinction among Europeans, question of, *Moss-King* 34,092-7
 Division of classes, scheme, *Dick* 36,903
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INDIANS, FORMATION OF A SEPARATE CADRE FOR:

- Advocated, *Stanyon*, 34,185, 34,198, 34,200, 34,203, 34,257-8, 34,262-72, 34,337-51.
 not Advocated, *Slocock* 35,528, 36,305, 36,421-5
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- Officers more popular with pleader class than military officers, *Sahasrabudhy* 36,702-3
 Organisation satisfactory, *Nelson* 34,683
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Popularity, decrease in, reasons, and particulars re, *Moss-King*, 33,974-80, 33,995-7, 34,008-12; *Slocock*, 36,354, 36,554-6, 36,560-2.

- Proportions of Indians and Europeans, suggested,** *Stanyon* 34,198
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Actual, in excess of theoretical, and particulars, *Hullah*, 33,528, 33,525; *Nelson*, 34,649; *Slocock*, 36,332.

- Adequate, *Nelson*, 34,725; *Mudholkar*, 37,224.
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Superior posts should not be cut-off from officers in, and opened up to P.C.S. until claims of officers satisfied, and particulars, *Slocock* 36,305, 36,314, 36,426-31

Two branches from beginning suggested, *Mudholkar* 37,196

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Indian Civil Service Act, 1881:

Amendment of Schedule II., desirable, *Nelson*, 34,598; *Khan*, 35,204.

Applies to Central Provinces, and particulars re scope, &c., *Hullah* 33,835-6

Employment of men other than members of P.O.S. subject to conditions of, advocated, *Khan* 35,197
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- 18-20, advocated, and particulars, *Moss-King*, 33,879; 33,925, 33,983-5, 34,087; *Stanyon*, 34,191; *Slocock*, 36,308, 36,329, 36,374-5, 36,386, 36,479-80, 36,484, 36,570-9.
 21-23, advocated, *Dixit*, 36,151; *Kelkar*, 37,667-8.
 22-24 (present limits), satisfactory, *Nelson*, 34,594; *Shukla*, 35,076; *Khan*, 35,199, 35,282; *Paranjpe*, 35,895; *Mudholkar*, 37,198; *Kolhatkar*, 37,816.
 23, advocated, *Nelson*, 34,590, 34,752; *Sahasrabudhy*, 36,644.

Indian Civil Service Examination—continued.

AGE-LIMIT—continued.

- 25 as maximum for candidates for judicial branch advocated, *Shukla* - - - - - 35,076
- Differentiation for Indians, not advocated. *Moss-King*, 33,882; *Nelson*, 34,594; *Shukla*, 35,078; *Khan*, 35,201; *Paranjpe*, 35,897; *Dixit*, 36,151; *Sahasrabudhy*, 36,646; *Malak*, 36,808-12; *Dick*, 37,907; *Mudholkar*, 37,200; *Kolhatkar*, 37,818.
- Extension in favour of Anglo-Indians and Eurasians, advocated, *Stanyon* - - - - - 34,194
- Good chance for Indians under present, and particulars, *Dick* - - - - - 36,895
- Higher for Indians advocated under present conditions, and particulars, *Malak* - - - - - 36,778.
36,780, 36,825-6, 36,828-9, 36,803-9, 36,811, 36,821-3
- Reduction:
- Other facilities for Indians would be considered if decrease an obstacle for Indians, *Moss-King* 33,927, 33,984
- Objected to, *Shukla*, 35,076; *Khan*, 35,199, 35,282, 35,373; *Slococ*, 36,375, 36,384, 36,571, 36,576, 36,577-9; *Mudholkar*, 37,408, 37,411-8, 37,511-4, 37,573-6; 37,574-6.
- Scheme re scholarships in England for Indian graduates impossible if reduction made in. *Khan* - - - - - 35,311-3
- System in force from 1878-91 most favourable. *Nelson* - - - - - 34,591
- University course previous to entrance for examination desirable. *Shukla*, 35,078; *Khan*, 35,199; *Dick*, 36,905, 36,850-1; *Kelkar*, 37,667.
- Younger preferred, *Robertson* - - - - - p. 302
- All posts in I.C.S. should be recruited by, *Dick* 36,912, 36,915
- Arranged to suit University course in England by Civil Service Commissioners, *Mudholkar* 37,577-8
- Best class of Indians not secured under, *Dick* 36,897, 37,096
- Best system if fair to all candidates, *Malak* 36,772
- only British subjects eligible, and disadvantages, *Mudholkar* - - - - - 37,188
- Candidates failing in, petition re, unlikely, *Mudholkar* 37,518
- CENTRES:
- London only suitable centre if scholarships at disposal of Indian universities, *Paranjpe* 35,888, 36,041, 36,069
- London should not be the only one, *Mudholkar* 37,187
- no Change advocated, *Nelson* - - - - - 34,578, 34,842
- CHARACTER OF CANDIDATES:
- Certificate of character should be produced as condition of admission to, *Khan* - - - - - 35,194, 35,352-3, 35,426-44
- Personal interviews, insisted upon, if held for simultaneous examination, *Mudholkar* - 37,553
- Physique and, not sufficiently considered, *Stanyon* 34,180, 34,493-7
- Test implied by examination alone, *Mudholkar* 37,191, 37,367-8, 37,546
- Closing against Indians advocated, and scheme, *Stanyon*, 34,181, 34,257-62, 34,416-37, 34,498-508; *Slococ*, 36,306, 36,361-9.
- COMBINATION WITH EXAMINATIONS FOR COLONIAL AND HOME CIVIL SERVICES:
- Advantageous to Indian interests, and desirable. *Moss-King*, 33,572; *Nelson*, 34,580; *Khan*, 35,193; *Paranjpe*, 35,886; *Mudholkar*, 37,190, 37,406, 37,466-82.
- not Desirable, and reasons. *Stanyon*, 34,183; *Dixit*, 36,144; *Slococ*, 36,561-2; *Malak*, 36,771; *Dick*, 36,898, 37,102-10.
- with Home, but not Colonial Service examinations advocated, and reasons. *Shukla*, 35,068; *Kolhatkar*, 37,807.
- Competent men recruited by, *Malak* - - - - - 36,768
- Comparison of chances of Indian and Englishman. *Mudholkar* - - - - - 37,534-40
- Continuance advocated, but room for improvement of system, *Stanyon* - - - - - 34,179, 34,319
- Differentiation between natural-born subjects of His Majesty unnecessary. *Nelson*, 34,579; *Paranjpe*, 35,885.

Indian Civil Service Examination—continued.

- Examination for physical fitness should be more strict - - - - - p. 302
- Fails to produce competent district and sessions judges and district magistrates, and scheme for improvement, *Kolhatkar* - - - - - 37,805
- Importance of conducting examination by Civil Service Commissioners, *Mudholkar* - - - - - 37,190, 37,262-3, 37,404, 37,478, 37,480
- Indians by birth should live in England for 6 years before appearing at, *Stanyon* - - - - - 34,199
- Indians failing in, prospects, and suggestions, *Khan*, 35,197; *Mudholkar*, 37,532-3.
- List of Indians recruited to I.C.S. by, *Paranjpe* 35,902
- List of Natives of India, year of admittance, present rate of salary, and posts in which now serving. *Hullah*, 33,499; *Nelson*, 34,601.
- Nomination previous to, satisfactory if practicable, but no particular necessity for, *Slococ* - - 36,303, 36,462-4
- Objections, no real ground for, and remedies suggested, *Sahasrabudhy* - - - - - 36,637
- Preferred by Indians to entrance to service through listed posts, and proposals re, *Moss-King* 33,877, 33,981-8, 33,998-4004, 34,167
- Retention as only way of recruitment to I.C.S. advocated, *Robertson* - - - - - p. 301
- equally Suitable for "Natives of India" and others, *Moss-King*, 33,871, 33,874, 34,165-78; *Paranjpe*, 35,884; *Sahasrabudhy*, 36,636; *Dick*, 36,895, 36,943.
- not equally Suitable for "Natives of India," and disadvantages for Indian student, *Stanyon*, 34,181, 34,257-62, 34,416-37, 34,498-508; *Shukla*, 35,067; *Nelson*, 34,578, 34,842; *Paranjpe*, 35,882; *Dixit*, 36,142, 36,244-7; *Malak*, 36,768-8, 36,770, 36,804-9, 36,811-2, 36,860-4, 36,865-7; *Mudholkar*, 37,187, 37,189, 37,296, 37,419-22, 37,534-40; *Kelkar*, 37,659-60, 37,763-6; *Kolhatkar*, 37,806, p. 301.
- System satisfactory, *Stanyon*, 34,199; *Nelson*, 34,576-7, 34,774; *Walayatullah*, 34,922; *Paranjpe*, 35,887; *Dixit*, 36,141; *Slococ*, 36,303, 36,359; *Sahasrabudhy*, 36,635; *Dick*, 36,895, 36,899, 36,902; *Kelkar*, 37,658, 37,714; *Kolhatkar*, 37,804.
- System satisfactory as far as those who can afford to go to England, are concerned, *Shukla* - 35,065
- System most satisfactory for Europeans, and particulars, *Mudholkar* - 37,187, 37,367, 37,406
- System not satisfactory, and reasons, *Moss-King*, 33,869-70, 34,019; *Shukla*, 35,066-7.
- SYLLABUS:
- not Adapted for Indians, *Khan* 35,203, 35,276-7
- Alterations suggested, reasons and particulars, *Stanyon*, 34,193; *Shukla*, 35,079; *Dixit*, 36,152, 36,237-40, 36,242; *Malak*, 36,769, 36,810-2; *Mudholkar*, 37,188, 37,347, 37,350-6; *Kolhatkar*, 37,819.
- Colloquial Hindustani suggested, but suggestion withdrawn, *Dick* - - - - - 36,922, 37,049
- Differentiation not desirable, *Stanyon*, 34,196; *Nelson*, 34,597; *Shukla*, 35,080; *Paranjpe*, 35,899; *Dixit*, 36,153; *Dick*, 36,009; *Mudholkar*, 37,201, 37,403; *Kolhatkar*, 37,820.
- English literature not an important part of, and details, *Mudholkar* - - - - - 37,350-6
- should be Equally difficult for English and Indians, *Malak* - - - - - 36,808-12
- Hindi should be included, *Shukla* - - - - - 35,079
- Hindu law advocated, *Mudholkar* - - - - - 37,188
- Indian history advocated, and particulars, *Shukla*, 35,079; *Khan*, 35,203; *Paranjpe*, 35,893, 35,899; *Dixit*, 36,152; *Malak*, 36,781, 36,868-71; *Mudholkar*, 37,188; *Kolhatkar*, 37,819.
- Italian, may be omitted, *Shukla* - - - - - 35,079
- Jurisprudence, general principles of, should be compulsory, *Nelson* - - - - - 34,623
- Law should be compulsory subject, *Nelson*, 34,595, 34,622, 34,633; *Sahasrabudhy*, 36,658.
- Lord Macaulay's Committee, principles of: Approved, and particulars, *Khan*, 35,202, 35,216; *Paranjpe*, 35,898, 35,916; *Kelkar*, 37,669.
- not Fulfilled under present system, and suggestions, *Slococ* - - - - - 36,308

Indian Civil Service Examination—continued.

SYLLABUS—continued.

Oriental languages advocated, <i>Malak</i>	36,781,
	36,868-71
Riding should be compulsory, <i>Dick</i>	36,908,
	37,049-51
Sanskrit and Arabic and Persian, raising of marks to level of Greek and Latin, suggested, <i>Shukla</i> , 35,079; <i>Khan</i> , 35,203, 35,277; <i>Paranjpe</i> , 35,883, 35,899; <i>Dixit</i> , 36,152; <i>Mudholkar</i> , 37,188, 37,347; <i>Kolhatkar</i> , 37,819.	
Satisfactory from Western point of view, but prolonged contact with Western ideas necessary for Indian candidate, <i>Khan</i>	35,454-5
Student required to supplement University subjects by other studies, <i>Dixit</i>	36,237-40, 36,242
Vernaculars:	
Advocated, <i>Dixit</i>	36,152
Compulsory for Europeans suggested, and particulars, <i>Malak</i>	36,769, 36,804-9, 36,811

Indian Languages (see Oriental Languages and Vernaculars).

Indian Services Family Pension Fund:

ADMISSION OF NATIVES OF INDIA to:

Compulsory, advocated, <i>Hullah</i> , 33,561; <i>Nelson</i> , 34,681-2.	
Desirable, and scheme <i>re</i> separate fund at start, <i>Hullah</i>	33,560, 33,562

CONTRIBUTIONS to:

should Cease on completion of 25 years' service, and rates of contribution should be raised, <i>Hullah</i>	33,559
should Cease after retirement, <i>Nelson</i>	34,680
should Cease after retirement, and be suspended during furlough, <i>Moss-King</i>	33,895
Pensions to sons should be continued to 24, <i>Nelson</i>	34,680
for P.C.S., no demand for, known of, <i>Hullah</i>	33,648

Indian Students:

IN ENGLAND:

Advantages of training and education, now realised by, <i>Thakur</i>	35,617, 35,839-41
at Cambridge, increase, <i>Khan</i>	35,295
Content with alien conditions of life harmless in case of selected graduates in India, <i>Khan</i>	35,354-7
False position on return to India, <i>Stanyon</i>	34,417, 34,422-38, 34,498-508
Number, and choice of professions and particulars <i>re</i> careers, <i>Kelkar</i>	37,769-82
Obligatory period at Oxford or Cambridge, desirable, <i>Khan</i>	35,223
Supervision in England necessary, and schemes for, being prepared, <i>Sahasrabuddhy</i>	36,637, 36,697-700

Scholarships (see that title).

Indians:

ADMISSION to SERVICE:

through Listed posts, prohibition greatly to disadvantage of P.O.S., <i>Moss-King</i>	33,988-8
of More advocated, <i>Dick</i>	38,944
not Objected to, <i>Moss-King</i>	33,905
Aspirations for employment in higher services, particulars <i>re</i> , and would be satisfied to great extent by creation of few more posts in P.C.S., <i>Nelson</i>	34,862-5

CIVILIANS:

Certain districts manned by, <i>Stanyon</i>	34,340
Exertion of authority more difficult for than for English, <i>Dick</i>	36,895, 37,023, 37,131-7, 37,174-7
Classes, distinct from races, and particulars <i>re</i> , <i>Dick</i>	37,029-31
Comparison with Europeans, <i>Nelson</i> , 34,611; <i>Dixit</i> , 36,160, 36,292-5.	

DEFINITION OF "NATIVES OF INDIA":

Exclusion of children of parents belonging to countries hostile to India, advocated, <i>Kolhatkar</i>	37,815
Exclusion of class called "Statutory Natives" suggested, <i>Dixit</i>	36,149
"Indian and Anglo-Indian" suggested instead, <i>Dick</i>	36,904, 37,180

Indians—continued.

DEFINITION OF "NATIVES OF INDIA"—continued.

Objected to, and suggestions, <i>Stanyon</i>	34,190; <i>Malak</i> , 36,777.
Residents of Native States should be included in term, <i>Shukla</i> , 35,075; <i>Mudholkar</i> , 37,188, 37,194, 37,197, 37,264-6; <i>Kolhatkar</i> , 37,815.	
Satisfactory, <i>Nelson</i> , 34,589; <i>Shukla</i> , 35,075; <i>Paranjpe</i> , 35,894; <i>Dixit</i> , 36,149; <i>Sahasrabuddhy</i> , 36,643.	

Desire to serve country in higher posts should be satisfied, and particulars *re*, *Stanyon* - 34,533

EDUCATED CLASSES:

Claims of, and needs of masses, difference between, <i>Moss-King</i> , 34,134-5; <i>Stanyon</i> , 39,559-62.	
Employment in higher services to satisfy aspirations of, advocated, <i>Khan</i>	35,843-4
Element will not preponderate for many years, and reasons, and particulars <i>re</i> , <i>Shukla</i>	35,081
Excluded from Crown Colonies, except Ceylon, and seldom enter Home Service, <i>Mudholkar</i>	37,190

EXTREME PARTY:

Scholarships in England, recruitment from Indian bar, and extension of listed posts to admit more Indians, would not satisfy demands of, <i>Khan</i>	35,302
Simultaneous examinations demanded by, but would not nearly satisfy aspirations of, <i>Khan</i>	35,495-94
Small, as compared with moderate, <i>Khan</i>	35,304
	35,487, 35,492

IN HIGHER POSTS:

Friction between European subordinates and, <i>Stanyon</i>	33,348-50
More should be thrown open, and particulars, <i>Slocock</i> , 36,305-6, 36,364, 36,529-32, 36,339, 36,563-7; <i>Mudholkar</i> , 37,619-39.	
One sixth advocated, <i>Mudholkar</i> , 37,192, 37,202-5, 37,210, 37,254, 37,326-31, 37,454-8, 37,618-39	
One third, recommended, <i>Khan</i>	35,205, 35,396, 35,495-504
Proportion cannot be fixed unless simultaneous examination granted, <i>Kolhatkar</i>	37,822
Selection from P.O.S. advocated, and scheme, <i>Nelson</i> , 34,584, 34,692-4, 34,738-40, 34,744-51, 34,844-60; <i>Slocock</i> , 36,306, 36,475.	
Increased facilities, opportunities for, demand for, require serious consideration, <i>Moss-King</i>	33,924
Litigation increasing among, and particulars <i>re</i> , <i>Paranjpe</i>	35,990-3, 36,072-4
Middle classes, representation of, <i>Mudholkar</i>	37,372-3

Moderate party, demands would be satisfied by system of scholarships in England, recruitment from the Bar, and extension of listed posts, or simultaneous examination, *Khan* 35,205, 35,302, 35,485-94, 35,502-4

Nationality, not yet realised properly, and particulars *re*, *Dick* - 36,900, 37,024-8, 37,114-7

OF NOBLE FAMILY:

Certificates of good service given on certain occasions, and copies held by, <i>Paranjpe</i>	36,090-1
Exception in favour of Europeans and Eurasians in rules for recruitment to P.C.S., should be extended to, and particulars, <i>Thakur</i>	35,591, 35,829-38, 35,862-3

NUMBER OF POSTS OPEN TO:

should not be curtailed or increased, <i>Stanyon</i>	34,573-5
Limit to 20 per cent. advocated, <i>Moss-King</i>	33,894
Question unimportant at present, <i>Nelson</i>	34,599
Purity and efficiency of administration unimpaired by holding of responsible posts by, <i>Mudholkar</i>	37,191

Recruitment (see that title).

holding Responsible positions, incomes required by, *Sahasrabuddhy* - 36,669

SEPARATE CADRE:

Advantages, and particulars <i>re</i> , <i>Slocock</i>	36,305, 36,421-5, 36,525-8, 36,538-43, 36,595-611, 36,626-34
Advocated, and scheme, and particulars, <i>Dick</i>	36,912, 36,923, 36,957-75, 36,993-7009, 37,041-8, 37,088-95, 37,130-42, 37,144-53, 37,184

Indians—continued.**SEPARATE CADRE—continued.**

Effect on I.C.S. and P.C.S., *Dick* 36,993-7004,
37,088-95, 37,141-53, 37,181-4
not Equal to I.C.S. in efficiency, but social
standing equal, *Dick* - - - - - 37,007

Pay:

Principle of supply and demand should be
applied, and particulars *re, Slocock* 36,630-1
Suitable, to attract required men should be
given, *Slocock* - - - - - 36,631, 36,634
Promotion, arrangements suggested, *Slocock*
36,626-9, 36,627, 36,632-3, 36,597-611

Recruitment:

no Difficulty, but question of promotion
doubtful, *Dick* - 36,967, 37,041-3, 37,047
Direct by nomination and competition, and
from P.C.S., advocated, and particulars *re, Dick*
36,957-9, 36,997-8, 37,148, 37,041-8
Type rising absolutely free from caste prejudice,
and particulars *re, Moss-King* - - - - - 34,023-6
Working in cadre of Civil Service, number, *Nelson*
34,853

Inefficient officers, retirement (*see under Retirement*).

Inferior Posts (*see under Conditions of Service, I.C.S.*).

Inspector-General of Registration (*see Registration, Inspector-General of*).

Inspector-General of Police (*see under Police Department*).

Insufficiency of Staff, I.C.S.:**EXECUTIVE BRANCH:**

District officers are overworked, *Shukla*, 35,121-3;
Dick, 36,935, 36,967.
Staff is adequate, *Khan* - - - - - 35,301
Judicial Branch, staff should be increased, *Stanyon*,
34,310-17, 34,323, 34,397-415; *Thokur*, 35,872-5;
Paranjpe, 35,948, 35,993-6, 36,128-40; *Dixit*,
36,172, 36,195-7; *Dick*, 36,992; *Kelkar*, 37,719-22.

Insufficiency of Staff, P.C.S.:

Executive Branch is overworked, *Walayatullah*,
34,937, 34,988-92; *Thakur*, 35,801, 35,652-67;
Dick, 36,935.

Judicial Branch is overworked, *Stanyon*, 34,315-8;
Paranjpe, 35,948, 35,963-5, 35,988, 35,993-6,
36,124-40; *Mudholkar*, 37,286.

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Jews, number of posts in P.C.S. held by, *Hullah*,
33,570; *Shukla*, 35,102.

Judges, Civil:

Combination of duties of magistrate and, might be
tried as an experiment, and difficulties, *Dixit*
36,219-20

Criminal trials by, not advocated as a rule,
Sahasrabudhy - - - - - 36,767

Executive training an advantage, *Khan* - 35,198,
35,285, 35,288, 35,315

Suits between landlord and tenants might be trans-
ferred to, *Walayatullah* - - - - - 34,942

Judges, District and Sessions:

Additional appointments advocated, *Paranjpe*
35,993-6

ADDITIONAL:

Appointment to act as, unsatisfactory, *Dick*
36,936, 37,052,
37,185-6

Appointments should be made from executive and
not judicial branch, and particulars, *Thakur* -
35,605-77

Duties of, in Wardha District, particulars *re, Thakur*
- 35,725-30, 35,735-6, 35,753

Members of P.C.S. as, *Hullah*, 33,580; *Stanyon*,
34,329, 34,331-6.

Pay, particulars, *Stanyon*, 34,304; *Paranjpe*,
35,977-9.

Promotion to, of recruits from the Bar, *Dick*
36,903

Subordinate judiciary up to, and including, should
be filled by members of P.C.S., *Stanyon* - 34,189

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Judges, District and Sessions—continued.

Additional sessions work, particulars, *Hullah*, 33,580,
33,765; *Stanyon*, 34,410.

Appointments should be made from executive and
not judicial branch, *Thakur* - 35,605, 35,677

ASSISTANT:

Probationers in subordinate judicial service
should be called, *Sahasrabudhy* - 36,659

Training as munshi, subordinate judge, third,
second, and first-class magistrate for specified
periods before appointment as, advocated
Mudholkar - - - - - 37,221

in each Civil district, *Stanyon* - - - - - 34,410

Civil and criminal work, but no revenue duties,
Walayatullah - - - - - 34,442

Civil work entirely, by district judge, *Hullah*, 33,580,
33,764-6; *Kelkar*, 37,729-31.

CIVILIANS:

Barristers and, satisfactory, *Dick* - 37,059-60

Considered necessary to judicial branch, *Moss-
King* - - - - - 33,878, 34,005-6

Defects due to faulty system of training, *Khan*
35,198

not Deficient in legal knowledge, *Khan* - 33,325

no Dissatisfaction respecting, *Nelson* - 34,588

Large proportion of administrative work falls to,
Nelson - - - - - 34,588

no Regular training received by, and no necessity,
Dixit - - - - - 36,148, 36,186

Clerks of courts of, interchange of duties with
certain officers advocated, *Paranjpe* 35,946, 36,113

Comparison with Extra Assistant Commissioners,
Kelkar - - - - - 37,800-3

no Considerable judicial training required at present,
but appointment should depend on proficiency,
and scheme, *Paranjpe* - - 35,929, 35,983-4

Criminal cases tried by sessions judges, *Sahasra-
budhy* - - - - - 36,762

Criminal training before becoming sessions judges
necessary, particulars *re, Hullah*, 33,643-4;
Slocock, 36,307, 36,411-3, 36,612-3.

Difference from magistrate and suggestions if
magisterial and executive functions separated,
Slocock - - - - - 36,583-90

Enrolment as barrister necessary before appoint-
ment as, *Stanyon*, 34,189; *Dick*, 36,919, 36,978.

Increase in grades up to Rs. 1,000 suggested, *Dixit*
36,172, 36,198-201

Indians as, *Stanyon*, 34,315-8; *Paranjpe*, 35,948,
35,963-5, 35,988, 35,993-6, 36,124-40; *Mudholkar*, 37,286.

Indians: Purity and efficiency of administration unimpaired
by, *Mudholkar* - - - - - 37,191

(*see also Officers from P.C.S. below.*)

Jurisdiction, *Hullah* - - - - - 33,768-72

LEAVE:

Privilege, obtained by, *Stanyon* - - 34,564

Vacancies filled by promotion of subordinate
judges, and pay, *Hullah* - - - - - 33,583

Listing of posts proposed in reorganisation of
judicial branch, *Hullah* - - - - - 33,556, p. 304

LL.B. degree necessary for appointment as, par-
ticulars, *Dick* - 36,919, 36,923, 36,978, 37,083-5

Lowest grade, included as first-class officers for
purpose of travelling allowances, under revision,
Hullah - - - - - 33,583

Number, and list of grades, *Hullah*, 33,529; *Stanyon*,
34,329-30, 34,409; *Dixit*, 36,172.

Office should be divided, divisional judgeship to go
to the district judge, and the sessions judgeship
to selected extra assistant commissioner, *Wala-
yatullah* - - - - - 34,943

Officers selected for judicial branch are given good
practical training before appointment as, and
suggestions, *Stanyon*, 34,225; *Nelson*, 34,633.

Open competition fails to produce competent, and
reasons, *Kolhatkar* - - - - - 37,805

Over-worked, and particulars *re duties, Stanyon*,
34,313-4, 34,323; *Paranjpe*, 35,948, 35,993-6.

36,123-40; *Dixit*, 36,172, 36,195-7.

PAY:

Particulars *re, Hullah*, 33,529; *Stanyon*, 34,304;
Kelkar, 37,682.

under Revision of judicial department, *Hullah*
33,583

Judges, District and Sessions—continued.

PAY—continued.

Time-scale should be applied to, <i>Slocock</i>	- 36,339
Travelling allowances, first class, granted to, <i>Kelkar</i>	- 37,741, 37,798
Unsatisfactory, and scheme, <i>Kolhatkar</i>	- 37,852, 37,855
Posts mostly held by members of P.C.S., and salaries low, and particulars <i>re, Kelkar</i>	- 37,673
Posts open to natives of India, number and scheme, <i>Kelkar</i>	- 37,682
Question of filling posts from civil or magisterial side, <i>Dixit</i>	- 36,297-8
Scheme <i>re, Kelkar</i>	- 37,803
Training, advantages of ministerial training, <i>Paranjpe</i>	- 36,113-8

Judges, Divisional and Sessions:

Civilians and barristers holding posts as, weak in law, <i>Dick</i>	- 37,059-60
Continued system and particulars of work, <i>Thakur</i>	- 34,678-81, 35,752-55
Europeans expected to hold certain number of posts as, <i>Dixit</i>	- 36,264, 36,266-7
at Nagpur, <i>Thakur</i>	- 35,723
Number, <i>Hullah</i> , 33,329; <i>Stanyon</i> , 34,329, 34,408	
Number of posts allotted to P.C.S., <i>Kelkar</i>	- 37,682

PAY:

Rates of, <i>Hullah</i>	- 33,529, 33,645-7
Time scale should be applicable to, <i>Slocock</i>	- 36,339
Powers, and particulars <i>re, Stanyon</i>	- 34,329, 34,408-12
Proposals <i>re</i> formation of separate cadre of, grading and pay, <i>Hullah</i>	- 33,530

SENIOR:

Reservation of post for divisional sessions judge would continue if separation of cadre organised, and particulars <i>re, Slocock</i>	- 36,603-7
Twelve, with three judicial commissionerships open to them, proposed, <i>Hullah</i>	- 33,816

Judges, High Court:

should belong to judicial branch, <i>Mudholkar</i>	- 37,196
Cannot keep pace with work, and particulars <i>re, Stanyon</i>	- 34,313
not enough Posts on the bench to admit, <i>Dick</i>	
Civilians, value of, as, <i>Dick</i>	- 37,066, 37,122
Extra pensions received by, <i>Slocock</i>	- 36,349
Pay of listed officer, two-thirds rule not approved, <i>Kolhatkar</i>	- 37,845
due Proportion of Indian Civil Servants in personnel of higher civil courts, advocated, <i>Khan</i>	- 35,198

Judges, Small Cause Court:

Appear in cadre of P.C.S., <i>Hullah</i> , 33,503, 33,669-70, 33,829-30; <i>Walayatullah</i> , 34,943; <i>Thakur</i> , 35,593	
Grades and number, <i>Thakur</i>	- 35,593
Pay, particulars <i>re, Stanyon</i>	- 34,315-6

Judges, Subordinate:

Additional, position held by young Civilians, and experience gained in trying civil cases a good preparation for taking up subordinate judgeship, <i>Khan</i>	- 35,289-91
Appeals from those of many years' standing often heard by Civilians with no legal knowledge, <i>Dick</i>	- 36,908
Direct appointment as, undesirable, <i>Stanyon</i> , 34,530; <i>Dick</i> , 36,931	
Discharge of work by Civilians having passed open competition examination should be efficient, and executive training a great help, <i>Khan</i>	- 35,288-91
Interchange of duties with certain officers advocated, <i>Paranjpe</i>	- 35,946, 36,113

JURISDICTION AND POWERS:

Comparison with munsifs, <i>Shukla</i> , 35,107; <i>Dixit</i> , 36,221; <i>Slocock</i> , 36,406	
Duties same as district judges, with difference of, <i>Hullah</i>	- 33,767
Pecuniary, particulars, <i>Hullah</i>	- 33,769-72
Powers of, <i>Stanyon</i>	- 34,414-5
Lack of despatch in cases sometimes, <i>Dick</i>	- 36,091, 37,088-7
Members of I.C.S. and Imperial services serving as, proportion of superior posts should be reserved for, <i>Stanyon</i>	- 34,189

Judges, Subordinate—continued.

Number and duties, <i>Hullah</i> , 33,565; <i>Thakur</i> , 35,738-5	
Number increased if necessary, <i>Paranjpe</i> , 36,140; <i>Dixit</i> , 36,206; <i>Kolhatkar</i> , 37,852	
no Objection to promotion as sessions judges if civil and criminal work done by, <i>Slocock</i>	- 36,612-3
Office separate from Extra Assistant Commissioners, <i>Walayatullah</i>	- 34,942
PAY AND GRADING:	
List, <i>Dixit</i>	- 36,172
under Revision of Judicial Department, <i>Hullah</i>	- 33,583
Unsatisfactory, and improvement necessary, <i>Stanyon</i> , 34,387-8, 34,530; <i>Kolhatkar</i> , 37,852, 37,855	
Posts should be filled by members of services who have been specially prepared for judicial work, <i>Stanyon</i>	- 34,189
Practical experience as, during period of 4 or 5 years would qualify man for position of sessions judge on promotion to High Court Bench, <i>Khan</i>	- 35,286-7
Recruitment, from munsifs, particulars, <i>Hullah</i> , 33,777; <i>Stanyon</i> , 33,782-3, 34,304; <i>Walayatullah</i> , 34,936	
Supervised by district judges, <i>Stanyon</i>	- 34,313
SPECIAL TRAINING AS:	
Advocated, particulars, <i>Slocock</i> , 36,402-6; <i>Kelkar</i> , 37,666	
Junior officers should be trained for, as quickly as possible, reasons, <i>Stanyon</i>	- 34,230-4
Particulars, <i>Paranjpe</i>	- 35,893, 35,983
Unnecessary, <i>Slocock</i> , 36,327, 36,393-5; <i>Dick</i> , 36,979	
Work done by, particulars, <i>Dixit</i>	- 36,200-1
Judicial Branch, I.C.S.:	
Appellate power not in harmony with English conditions, <i>Stanyon</i>	- 34,554
BIFURCATION:	
before Confirmation in office of sessions judge, advocated, <i>Hullah</i>	- 33,678-80
Early, advised, <i>Dick</i> , 36,919, 37,075-7; <i>Kelkar</i> , 37,666	
before Examination, advocated, <i>Kolhatkar</i>	- 37,805
Five years' civil training necessary before entering judicial branch, <i>Khan</i>	- 35,228, 35,283-4, 35,366
after Two years' service, suggested, <i>Stanyon</i>	- 34,277-84, 35,525-6, 34,547
Cases not so well worked up as in England, and different conditions require different system, <i>Khan</i>	- 35,325-8
Chances of prize appointments not same as executive branch, <i>Mudholkar</i>	- 37,610-1
CIVIL CASES:	
Considerable portion contributed by moneylenders, and particulars, <i>Sahasrabuddhy</i>	- 36,749-54
Tried almost exclusively by judicial officers, and exceptions, <i>Hullah</i>	- 33,527
Civil work only, done by members of, and particulars, <i>Nelson</i> , 34,653, 34,867; <i>Dixit</i> , 36,176, 36,206, 36,226-31, 36,297-8; <i>Mudholkar</i> , 37,283	
Civilians not anxious to enter, very often, reasons, <i>Mudholkar</i>	- 37,604-5, 37,607
Constitution and system, <i>Stanyon</i>	- 34,326-36, 34,302-415
Criminal cases, offenders not let off, but results of re-trial sometimes contrary to public expectations, <i>Sahasrabuddhy</i>	- 36,759
Criminal functions should belong to, <i>Dixit</i> , 36,176, 36,206, 36,226-31, 36,297-8; <i>Mudholkar</i> , 37,196	
Differentiation of functions from Executive (see Separation from Executive Branch below).	
EUROPEAN ELEMENT:	
Leaven of, at top of service expected, and particulars, <i>Dixit</i>	- 36,148, 36,262-7
Minimum advocated, <i>Slocock</i> , 36,311; <i>Dick</i> , 37,067-8, 37,072-3	
Recruitment, particulars, <i>Dixit</i>	- 36,265-7

Judicial Branch, I.C.S.—continued.

HIGHER POSTS :

Admission of Indians recruited through listed posts, suggestion *re, Slocock* - - - 36,311
 should Depend on special aptitude and selection by High Court, *Paranjpe* - - - 35,929
 Pay not so good as in executive branch, and details, *Mudholkar* - - - 37,615-6
 Improvement in prospects, scheme and particulars, *Mudholkar*, 37,196, 37,606-9, 37,613, 37,617; *Kelkar*, 37,666.
 Increase of litigation and some increase of staff to some extent, *Paranjpe* - - - 35,990-3, 36,072
 Junior officers should sometimes be interchanged with executive, *Hullah* - - - 33,686
 Larger number of officers employed in, *Kelkar* - - - 37,748

LEAVE :

Annual vacation, very little use, *Stanyon* - 34,564
 Less taken than in executive branch, *Stanyon* 34,564
 (see also Leave, I.C.S.)

Magisterial cases, particulars *re, Slocock* 36,580-4, 36,614-22
 Number of officers, *Dick* - - - 36,992
 Officers of Central Provinces join, after about three of four years' service, *Hullah* - - - 32,642
 Overwork, particulars *re, Stanyon*, 34,310-7, 34,323, 34,379-45; *Thakur*, 35,872-5; *Dick*, 36,992; *Kelkar*, 37,719-22.
 Particulars *re* cases, *Dick* - - - 36,991
 Prestige of service damaged by inefficient judges. *Dick* - - - 36,903

PROBATION :

Schemes, *Stanyon*, 34,211; *Mudholkar*, 37,212, 37,278, 37,417-8; *Kolhatkar*, 37,831, 37,842.
 (see also Probation, I.C.S.)

PROMOTION :

Block in, time-scale the only way of removing, *Hullah* - - - 33,693-6
 (see also Promotion, I.C.S.)

RECRUITMENT :

Age limit, maximum at 25, advocated, *Shukla* 35,076
 from the Bar :
 Advocated, and particulars, *Stanyon*, 34,189, 34,225, 34,372-81, 34,389, 34,450-5; *Nelson*, 34,633; *Khan*, 35,198, 35,278-81, 35,302, 35,325-8, 35,363-5; *Dixit*, 36,148, 36,186-7, 36,261, 36,268-9; *Malak*, 36,776; *Dick*, 36,903, 36,962, 37,032-7, 37,055, 37,061-70, 37,078, 37,082, 37,118-21, 37,162-5, 37,171-3; *Kelkar*, 37,704-10, 37,715-6; *Kolhatkar*, 37,811, 37,866-77.
 not Advocated, *Slocock*, 36,307, 36,315, 36,477-8; *Dick*, 37,074.
 Barrister would lack valuable experience gained by executive officer, *Hullah* - - - 33,684
 Lawyers would accept posts if salary sufficient, *Sahasrabudhy* - - - 36,690
 no Lawyer who adopts politics as great part of his occupation should be eligible, *Stanyon* 34,189, 34,381, 34,450-5
 Standing counsel to money-lending firm would not be objected to as a rule on the bench, *Sahasrabudhy* - - - 36,755-8
 Best men not recruited, *Stanyon* - 34,390-1
 Direct :
 Number taken up for, and almost all graduates of Art and Law, *Thakur* - - - 35,595
 Practice at the bar for not less than three years should be necessary, *Sahasrabudhy* 36,661
 from Executive officers, "knowledgeability" sufficient, but not the only consideration, *Dick* 37,065

Indians :

More posts should be open to, and suggestions *re, Kelkar* - - - 37,666, 37,703-10
 Well suited for, and no particular necessity for recruitment from I.C.S., *Dixit* 36,188, 36,289
 Law degree should be compulsory, *Shukla*, 35,074, 35,124-8; *Sahasrabudhy*, 36,642, 36,658, 36,661.
 from Law graduates, suggestion, *Kolhatkar* 37,811, 37,866-72

Judicial Branch, I.C.S.—continued.

RECRUITMENT—continued.

Late in service advocated, *Slocock* - 36,324, 36,237, 36,393
 Nomination not liked, and competition advocated, *Kelkar* - - - 37,713
 from P.O.S. advocated to some extent, *Khan*, 35,198, 35,278-9, 35,302, 35,324-8, 35,480-82; *Dixit*, 36,148, 36,187, 36,261, 36,268-9; *Kelkar*, 37,704-10, 37,715-6.
 Satisfactory, *Khan*, 35,198, 35,278-9, 35,302, 35,364-5; *Sahasrabudhy*, 36,743.
 Scheme, *Stanyon* - - - 34,189, 34,275-6
 Separate examination :
 Age of candidates, scheme, *Mudholkar* 37,593-4
 no Difficulty *re* obtaining candidates for, with improvement and prospects under proposed scheme, and particulars, *Mudholkar* 37,606-7
 Proposed syllabus and marking, and particulars *re, Mudholkar* 37,196, 37,271, 37,276, 37,582-95
 Separate method :
 Advocated, *Shukla* - - - 35,074, 35,124-8
 not Advocated, *Moss-King*, 33,878, 34,032; *Nelson*, 34,588; *Paranjpe*, 35,893; *Slocock*, 36,307; *Kelkar*, 37,666, 37,767, 37,782; *Kolhatkar*, 37,814; p. 302.
 by Special appointment not objected to, *Dick* 36,912
 as Wide a field as possible advocated, and reasons, *Stanyon* - - - 34,275-6, 34,438
 (see also Recruitment, I.C.S.)
 Revenue, cases tried only by officers of executive branch, *Hullah* - - - 33,527

SEPARATION FROM EXECUTIVE BRANCH :
 Advocated, and scheme and reasons for, *Mudholkar*, 37,196, 37,202, 37,233, 37,270-1, 37,541-2, *Kolhatkar*, 37,805, 37,890-7.
 not Advocated, and particulars, *Nelson*, 34,653, 34,867; *Stanyon*, 34,823-4; *Khan*, 35,235, 35,314-7, 35,367-8, 35,537-41, 35,543-6; 35,554-5, 35,560-2; *Slocock*, 36,333; *Dick*, 36,903, 37,021-2, 37,123.
 Cost would not be great, and scheme, *Mudholkar* 37,279-81
 Extent of, *Hullah*, 33,527; *Walayatullah*, 34,942, 35,027.
 Loss of criminal powers will decrease influence, *Kelkar* - - - 37,754-61
 (see also under Magistrates.)

STUDY LEAVE :
 Advocated, and particulars, *Khan*, 35,228; *Slocock*, 36,324, 36,326, 36,408-11.
 not Advocated, *Stanyon*, 34,223, 34,282; *Kelkar*, 37,678.
 should be Granted for one year, and particulars *re, Nelson* - - - 34,633
 Subordinate cases, young civilians should try a certain number, *Slocock* - 36,327, 36,399-407
 Superior posts, proportion might be recruited from Bar, but no proportion could be fixed, and particulars *re, Stanyon* - 34,189, 34,273-5
 Surplus in court fees account utilised for buildings and pensions, *Khan* - - - 35,556-7

TRAINING :
 for Civilians, suggestions, *Paranjpe* 35,929-30, 35,983-7
 Course of instruction by Provincial Governments, advisable for one year, and scheme, *Mudholkar* 37,216, 37,220, 37,221, 37,277
 Course of study in Indian law for officers selected to, period in Legislative Department and Legal Remembrancer advocated, and particulars, *Paranjpe* - - - 35,930, 35,985-7
 Executive :
 an Advantage, but could be secured during probation if judicial and executive branches separated, and particulars, *Mudholkar* 37,277-8
 no Compensation for lack of legal training, *Dick* 36,903
 Four years in executive branch and as subordinate judges and magistrates for reasonable period before appointment to divisional judgeship advocated, *Khan* 35,228, 35,283-5
 of great Value, *Slocock* - - - 36,307, 36,324

Judicial Branch, I.C.S.—continued.

TRAINING—continued.

Law:

- Course in civil law advocated, *Slocock* 36,324
36,327, 36,400-7, 36,411
Early and systematic best, and particulars re
time after entering service, *Stanyon* 34,223
34,277-84, 34,547-9, 34,550-1
English law will apply to Indian cases in most
circumstances, *Stanyon* 34,551-3
Examinations passed by some officers, but
exceptional, *Khan* 35,524
Improvement in, advocated, *Shukla* 35,074,
35,125-8
Special course of study in, not advocated, *Nelson*
34,634

(see also Law.)

- Practice at Bar unimportant, *Kolhatkar* 37,921-3
Present system sufficient for criminal department,
but some training necessary, *Khan* 35,520-1
Schemes, *Stanyon* 34,225, 34,277-84; *Dick*, 36,903,
36,919, 36,980, 37,080; *Kelkar*, 37,666.

Special, in subordinate posts:

- Advocated, and suggestions, *Sahasrabudhdy*,
36,659; *Dick*, 36,780-2, 36,903, 36,919, 36,923-
4; *Mudholkar*, 37,221; *Kelkar*, 37,679.
not Advocated, *Slocock*, 36,327, 36,393-5; *Kelkar*,
37,666; *Kolhatkar*, 37,840.

(see also Training, I.C.S.)

- Transference of cases, authority of district magis-
trates re pending cases, *Khan* 35,528-32, 35,535-6,
35,551-3

- Unpopularity of causes, and remedies suggested,
Kelkar 37,666

Judicial Branch, P.C.S.:

CADES:

- Revision, effect of last, *Hullah* 33,583
Inadequate to cope with growing needs and
increase advocated, *Paranjpe* 35,948, 35,963,
35,965, 35,968, 35,993, 35,996, 36,140
Strength of, *Hullah*, 33,565; *Walayatullah*, 34,936;
Thakur, 35,593; *Kolhatkar*, 37,852.
System of fixing, satisfactory, *Hullah* 33,574
Civil cases almost exclusively tried by officers with
no executive functions, and exceptions, *Hullah*
33,580
Criminal work, large proportion done by bench and
honorary magistrates, *Thakur* 35,810-1
Differentiation of functions from executive branch,
and extent and particulars, *Hullah*, 33,580; *Stanyon*,
34,239; *Shukla*, 35,105, 35,173-5; *Thakur*, 35,605,
35,677; *Dick*, 36,936; *Kelkar*, 37,687, 37,729-31,
37,749, 37,792-7; *Kolhatkar*, 37,853.
Europeans in, number of, *Kelkar* 37,681

LEAVE:

- on Full pay, conversion of privilege leave on half
pay into, suggested and particulars, *Paranjpe*
35,694, 36,017-21
no Reserve, *Hullah*, 33,575; *Paranjpe*, 35,948.
(see also Leave, P.C.S.)
more Listed posts taken up by, than by Executive
Branch, *Thakur* 35,606
Overwork and particulars, *Paranjpe*, 35,948, 35,963,
35,965, 35,988, 35,993, 35,996, 36,124-40; *Mud-*
holkar, 37,286.

PAY AND GRADING:

- Few posts as possible in lowest grades recom-
mended, *Paranjpe* 35,957
Grading, proposal re, *Hullah* 33,584
Improvement, suggestions for, *Kolhatkar* 37,852
Improvement would attract better class of men,
Sahasrabudhdy 36,667
Posts of Rs. 900 and Rs. 1,000 not to be created,
and reason, *Hullah* 33,848-56
Revision, effect of last, *Hullah* 33,583
Time-scale, from munsif to district judge
suggested, but not for higher posts, *Dick* 36,988
(see also Pay, P.C.S.)

PENSIONS:

- Full, after 25 years' service, advocated, and par-
ticulars, *Kolhatkar* 37,858
Superannuation, reduction in age-limit advocated,
Paranjpe, 36,034-5; *Mudholkar*, 37,238.
(see also Pensions, P.C.S.)

Judicial Branch, P.C.S.—continued.

PROMOTION:

- Block, possibility of, but proposed scheme of re-
organisation will avoid, *Hullah* 33,577
Officiating, received to some extent, *Hullah* 33,585
Permanent, number of officers superseded for,
Hullah 33,578, 33,622
(see also Promotion, P.C.S.)

RECRUITMENT:

from the Bar:

- Advocated, *Khan*, 35,197, 35,278-9; *Paranjpe*,
35,943; *Dick*, 36,936; *Mudholkar*, 37,233.
Members would not find it worth while, *Dixit*
36,218

Candidates from Bombay Presidency and Calcutta

- University taken when sufficient number of
residents not available, *Paranjpe* 36,047
Class representation, particulars, *Dick* 36,934
by Competition, promotion from other services and
nomination in equal proportions recommended,
Dixit 36,172, 36,174, 36,208-9, 36,216-7,
36,284-8

- Law degree should be compulsory, *Shukla*, 35,100;
Paranjpe, 35,948; *Mudholkar*, 37,233.

- Present system, *Hullah*, 33,577, 33,588; *Paranjpe*,
35,942; *Dixit*, 36,024, 36,276.

- Present system satisfactory, *Kelkar* 37,680
(see also Recruitment, P.C.S.)

- Revision, particulars re, *Hullah* 33,583

SEPARATION FROM EXECUTIVE BRANCH:

- Advocated, and suggestions, *Paranjpe*, 35,952;
Dixit, 36,176, 36,200, 36,207-8; *Shukla*, 35,105,
35,173-5; *Mudholkar*, 37,233; *Kelkar*, 37,687,
37,729-31, 37,749-61, 37,792-7; *Kolhatkar*,
37,853.

- not Advocated, *Stanyon* 34,239

- no-Desire for, by people, *Nelson* 34,869-87

- Present position, *Hullah* 33,580

- Technical in character, *Dixit* 36,148, 36,294-6

TRAINING:

- Interchange of duties among certain officers re-
commended, *Paranjpe* 35,946, 36,086-9,
36,113-8

- Officers already trained as munsifs, as no outside
recruitment to sub-judgeships made in central
provinces and Berar, *Hullah* 33,571

(see also Training, P.C.S.)

Judicial Commissioners (see Commissioners, Judicial).

Judicial Service:

- Distinct from other services, desirable, particulars
and suggestions, *Dick*, 36,968-4, 36,974, 37,054-5,
37,140; *Kolhatkar*, 37,805.

- certain Proportion of posts must be reserved for
I.C.S. civilians, and reasons, *Stanyon* 34,439-48

Judicial Subordinate Service:

- Exchange of duties by ministerial service with, not
to be regarded in light of appointments, and
particulars, *Paranjpe* 36,086-9, 36,144-8

- Number of officers in, pay and grading, and scheme
for improvement, *Kolhatkar* 37,852

- Officers in, do not get so much leave as executive
people, *Stanyon* 34,565

- One service advocated, and time-scale, not objected
to, *Dick* 36,986-8

- Underpaid, and difficulty of getting recruits, *Kelkar*
37,742

K.

Kayasthas:

- Administrative capacity, and number in Technical
Branch of P.C.S., *Mudholkar*, 37,191; *Kelkar*,
37,681.

- Kelkar*, Rao Bahadur Vinayak Moreshwar, evidence
of 37,658-803

- Kembi*, number in Judicial Branch of P.C.S., *Kelkar*
37,681

- Khan*, Ghazanfar Ali, I.C.S., evidence of 35,194-3558

- Khamgaon*, Sub-Divisional Officers of, local allowances
payable to, *Hullah* 33,734

- King*, R. C. H. Moss, I.C.S., evidence of 33,869-34,178

Kolhatkar, Rao Bahadur Waman Rav M., evidence of - - - - - 37,804-833

Kshatriya, number in Judicial Branch of P.C.S., Kelkar 37,681

L.

Languages (see Oriental Languages and Vernaculars).

Law:

Improvement in knowledge of, suggestions for, *Mudholkar* 37,196, 37,212, 37,216, 37,407-8, 37,417-8

KNOWLEDGE OF MEMBERS OF I.C.S. OF:

Changes suggested to improve proficiency in, *Nelson* - - - - - 34,633

no Special steps necessary for improving, *Kelkar* 37,678

could be Learnt quite as well in India as in England, *Stoccock* - - - - - 36,308

Mastery fairly easy in comparison with English system of law, *Khan* - 35,198, 35,286, 35,523

STUDY OF:

Higher study, original work in jurisprudence would deserve special appointment in judicial branch, *Paranjpe* - - - - - 35,931

Higher study, special rules for encouragement, unnecessary, *Stoccock* - - - - - 36,328

Scheme for instruction in India not possible, *Khan* 35,222

Special course:

for Officers of judicial branch, not advocated, *Kolhatkar* - - - - - 37,889

Unnecessary if separate examination for judicial branch, *Mudholkar* - - - - - 37,220

System for encouraging higher, analogous to rules for encouragement of study of Oriental languages, not recommended, *Stanyon* - - - - - 34,226

Two years' course at Indian University suggested before taking L.L.B., *Dick* - - - - - 36,923

(see also under Training under Judicial Branch, I.C.S.)

Leave, I.C.S.:

ALLOWANCES:

Concession of 1893 re rate of exchange: Adequate, *Khan* - - - - - 35,242

Amendment, suggested and reason, *Nelson* 34,670, 34,898-900

not Liberal enough, *Stoccock* - - - - - 36,346

Maximum and minimum limits: not Approved, and suggestions re, *Nelson* 34,671

Suitable, *Hullah*, 33,546; *Khan*, 35,243.

Percentages correct, *Hullah* - - - - - 33,521

Alternative sterling and rupees rates, recommendation, *Hullah* - - - - - 33,546, 33,657-9

Discretion of local administration in granting, particulars re, *Nelson* - - - - - 34,907-9

Extra, on half-pay, necessary for sickness or urgent private affairs, *Stoccock* - - - - - 36,347

ON FULL PAY (PRIVILEGE):

Accumulation:

Abolition in favour of annual holiday suggested, *Moss-King*, 33,891, 33,932-62, 34,043-5; *Nelson*, 34,667; *Stoccock*, 36,342-3, 36,432-6, 36,443-7

Increase of limit to five months suggested, *Thakur* - 35,619, 35,622, 35,682, 35,775-8, 35,783-7

Amount due, taken, *Hullah* - - - - - 33,544

Amount due not taken, *Nelson* - - - - - 34,667

Amount suitable, *Hullah* - - - - - 33,544

more Needed by Unconvenanted Civil Servants and the Police, but should also be granted to I.C.S. to avoid invidious distinctions, *Stoccock* - 36,444

Taken more frequently than formerly, and result, *Khan* - - - - - 35,418-23

FURLOUGH:

Allowance:

Suitable, *Khan* - - - - - 35,241

not Suitable, and revision suggested, *Moss-King*, 33,891; *Nelson*, 34,666-7, 34,669-71, 34,722, 34,902; *Stoccock*, 36,345, 36,443-6.

Leave, I.C.S.—continued.

FURLOUGH—continued.

Amount due:

Reduction in, not advocated, *Hullah*, 33,545; *Nelson*, 34,668; *Kelkar*, 37,685.

not Taken, *Hullah*, 33,545; *Nelson*, 34,668; *Stoccock*, 36,344.

Taken more frequently than formerly, and result, *Khan* - - - - - 35,418-23

at Intervals of five years advocated, *Stoccock* 36,342, 36,440-2

on Medical certificate objected to, particulars re, *Nelson* - - - - - 34,674, 34,910

Officers should not be encouraged to study law during, *Stanyon* - - - - - 34,283

Two years:

not Many officers take, *Moss-King* - 33,959-60

More than, condemned, and reasons, *Stoccock* 36,342, 36,438-41

on Half-pay, often not taken, and should be abolished, and particulars, *Stoccock* - - - - - 36,342

Less taken than formerly, and reason, *Nelson* 34,666

in Listed posts (see that title).

Long, rules, alteration suggested, *Moss-King* 33,891

More taken than formerly, and reasons, *Hullah* 33,543

Power to grant to officers at time when absence not inconvenient, advocated, *Hullah* - - - - - 33,549

Privilege (see on Full pay above).

RULES:

Abolition advocated, and particulars re, *Nelson* 34,672, 34,904-6, 34,912-5

Cause of excessive transfers, *Nelson* - - 34,673

not Cause of excessive transfers, *Hullah* - 33,547

Cause inconvenience to administration, and particulars re, *Nelson*, 34,672; *Stoccock*, 36,348.

Decentralisation Commission, principles approved, *Khan* - - - - - 35,244

Leave reserve might be reduced by change in, *Nelson* - - - - - 34,647

some Press hardly on officers of I.C.S., and particulars re, *Nelson* - - 34,674, 34,904-6

Revision of advocated, *Moss-King*, 33,891, 34,034-42; *Nelson*; 34,669, 34,672, 34,722-4, 34,904-6 34,912-5; *Stoccock*, 36,342, 36,348, 36,432-47.

Suggestions of Government of India, agreed with, *Hullah* - - - - - 33,549

Shorter leave at more frequent intervals, and subject to reasonable limit, on full pay, advocated, scheme, *Moss-King* - - - - - 33,891

Two years' continuous leave except for health, undesirable, *Dick* - - - - - 36,929

(see also under Judicial Branch, I.C.S.)

Leave, P.C.S.:

Allowance, maximum and minimum limits, suitable, except as regards furlough, *Stanyon* - - 34,249

Combined, only taken for health, *Thakur* - 35,618

European Service Leave Rules, equalisation with, advocated, *Khan*, 35,255; *Thakur*, 35,622.

Difficulties re taking, *Paranjpe* - 35,963, 36,024

Full advantage taken of, but amount not sufficient, *Paranjpe* - - - - - 36,022-4

ON FULL PAY (PRIVILEGE):

Accumulation, period allowed should be extended, *Walayatullah*, 34,954; *Thakur*, 35,619, 35,682, 35,775-9; *Paranjpe* 35,963; *Kolhatkar*, 37,857.

Amount due usually taken, *Hullah* - - 33,590

slight Increase in number of officers taking, *Thakur* 35,618, 35,780-2

some Officers deterred from taking for fear of transfer on return to duty, *Hullah* - - 33,590

not Taken on account of expense, *Walayatullah*, 34,954; *Thakur*, 35,619, 35,622, 35,682, 35,775-9.

FURLOUGH:

Allowances:

Increase advocated, *Stanyon*, 34,249; *Thakur*, 35,621, 35,682.

Rates require little modification, and suggestions re, *Walayatullah* - - - 34,956

Amount due not taken, *Thakur*, 35,620, 35,622; *Kelkar*, 37,684.

Leave, P.C.S.—continued.**FURLOUGH—continued.**

Generally taken towards close of service, and reasons, and present system may be continued if age limit for pension not reduced, *Walayatullah* - - - - - 34,955

Qualifying period should be reduced from 10 to 8 years, and a year allowed for every 6 years' service after that, *Stanyon* - - - - - 34,247

Reduction of amount permissible by rules, not advocated, *Thakur* - - - - - 35,620, 35,622

Restrictions requiring fixed period between one furlough and another, should be removed, *Walayatullah* - - - - - 34,961

Rules not too liberal, *Stanyon* - - - - - 34,247

Grant of, contingent on exigencies of Public Service, *Walayatullah* - - - - - 34,959

Less taken than formerly, and reasons, *Walayatullah* - - - - - 34,953

MEDICAL:

Allowance, particulars *re*, *Walayatullah* 34,957

Privilege (*see* on Full pay above).

Reduction, not advocated, *Walayatullah* - 34,960

Rules hard on officers, and suggestions, *Thakur* 35,622, 35,682

RESERVE:

no Change advocated, *Stanyon* - - - - - 34,237

of Fourteen per cent., and adequate, *Walayatullah* 34,938

for Officers under training:

Adequate, *Hullah* - - - - - 33,576

System of grading, suitable, *Hullah* - - 33,575

RULES:

Adoption of I.C.S. rules advocated, *Khan*, 35,255 ; *Paranjpe*, 35,939.

Amendment advocated, and scheme, *Hullah* 33,593 ; page 308

Applicable to European and Indian services, complete assimilation not advocated, *Hullah*, 33,593 ; *Walayatullah*, 34,961.

not Cause of excessive transfers, *Hullah* - 33,592

no Cause of inconvenience to administration, *Walayatullah* - - - - - 34,959

Proposals of Government of India *re*, agreed with, *Hullah* - - - - - 33,591

should be Same for Europeans and Indians, *Paranjpe* - - - - - 35,965

about Same amount taken now as formerly, *Hullah* 33,589

Sick leave, more taken, especially from judicial branch, and particulars, *Paranjpe* - - 35,963

Special, no alteration suggested, *Walayatullah* 34,958

(*see also* under Judicial Branch, P.C.S.)

Legal profession, Indian graduates often give up idea of entering P.C.S. to enter, *Khan* - - - 35,250

Legislative Councils (*see* under Councils).

Lieutenant-Governors, extra pension suggested for, *Stcock* - - - - - 36,349

Listed Posts:**ABOLITION:**

Advocated in certain circumstances, *Malak* 36,785, 36,830-5

Inclusion in separate cadre advocated, *Dick* 36,915, 36,957, 37,143

BARRER:

Grievances and particulars *re*, *Hullah*, 33,703-15 ; *Nelson*, 34,810-1.

Listing of, objected to, *Hullah* - - - 33,605-8

Block in promotion in I.C.S. caused by creation of, *Moss-King* - - - - - 33,889 ; p. 306

Charges of inferiority against officers holding, owing to selection for, *Mudholkar* - - - - - 37,191

CLASS OF POSTS:

Suitable, *Hullah*, 33,508, 33,603-4 ; *Dixit*, 36,159 ; *Kolkathkar*, 37,829.

not Suitable, *Mudholkar* - - - - - 37,210

Europeans should not be eligible unless Statutory

Natives of India, *Kolkathkar* - - - - - 37,847-8

Inclusion in I.C.S., not advocated, *Stcock* 36,350-2

Listed Posts—continued.**INFERIOR POSTS, MERGING OF, IN P.C.S.:**

Approved, *Stanyon*, 34,241 ; *Nelson*, 34,610 ; *Khan*, 35,209, 35,507-12, 35,573-7 ; *Paranjpe*, 35,907, 35,954 ; *Dixit*, 36,158 ; *Stcock*, 36,314, 36,316 ; *Dick*, 36,916.

not Approved, and reasons, *Walayatullah*, 34,944, 35,057-8 ; *Shukla*, 35,087 ; *Thakur*, 35,607, 35,869 ; *Mudholkar*, 37,209 ; *Kolkathkar*, 37,828.

Members of service and public not ordinarily aware of, *Hullah* - - - - - 33,507

on Judicial side in provinces of Agra and Oudh, *Hullah* - - - - - 33,852

LEAVE:

Privilege should not be allowed to lapse if accumulated, *Kolkathkar* - - - - - 37,846

Rules, separate from I.C.S., desirable, *Dick* 36,930

Subject to P.C.S. rules, *Hullah* - - - - 33,548

Men not received on same footing as junior civilians, *Dixit* - - - - - 36,255-7

Men selected for superior, would be regarded with greater respect if appointed to inferior listed posts in Commission, and regarded as members of Commission from that time, *Walayatullah* 35,063-4

Minimum should be preserved, and Indian section should be a different type of man from P.C.S. recruited in England, and scheme for temporary expedient, *Khan* - - - - - 35,476-82

Natives of India only, appointed in regular way, *Hullah*, 33,504 ; 34,607 ; *Paranjpe*, 35,905-6.

NUMBER:

in Berni, and Central Provinces, *Hullah* - 33,506, 33,606

Increase:

Advocated, and suggestions, *Walayatullah*, 34,943, 34,981 ; *Khan*, 35,302, 35,393-4, 35,473-82 ; *Thakur*, 35,606-7, 35,806, 35,826-7 ; *Paranjpe*, 35,907, 35,953, 36,005-8, 36,078-80 ; *Stcock*, 36,305-0, 36,364-9, 36,376-8, 36,529-32, 36,539, 36,563-7 ; *Kelkar*, 37,673, 37,691, 37,711 ; *Kolkathkar*, 37,826.

Advocated to one-quarter of posts in I.C.S., *Kolkathkar* - - - - - 37,822, 37,829, 37,909-24

Advocated, if special scholarships cannot be arranged, *Walayatullah* 34,927, 34,943, 34,975

Advocated, if simultaneous examinations not adopted, *Shukla* - - - - - 35,085, 35,088

at Present, *Hullah*, 33,503, 33,828-34 ; *Nelson*, 34,606, 34,608 ; *Dixit*, 36,172 ; *Stcock*, 36,314 ; *Mudholkar*, 37,205, 37,326, 37,435-65, 37,618-39.

no Objection to scheme for superior posts going to members of P.C.S., if statutory scheme not followed, and if simultaneous examination, granted, and particulars, *Mudholkar* - - - - - 37,641-7, 37,652

One held by statutory civilian, *Hullah* - - 33,827

Orders of 1910 *re* recruitment, and listing of number of posts under, objected to, and reasons, *Nelson* 34,836-41, 34,894-7

PAY EQUAL TO I.C.S. RECOMMENDED:

for all listed posts, *Nelson*, 34,665 ; *Shukla*, 35,098 ; *Thakur*, 35,617, 35,682 ; *Paranjpe*, 35,938, 35,962 ; *Dixit*, 36,170 ; *Malak*, 36,792.

for certain high posts, *Stanyon*, 34,246 ; *Stcock*, 36,341, 36,623-34 ; *Kolkathkar*, 37,845.

not Less than Rs. 1,500 a month, and rising to Rs. 2,000, advocated, *Hullah* - - - - 33,542

Three-quarters of I.C.S. pay suggested, *Stanyon*, 34,246, 34,303-4, 36,623-34 ; *Walayatullah*, 34,952 ; *Khan*, 35,240 ; *Mudholkar*, 37,227, 37,237, 37,344.

Two-thirds rule:

an Anomaly, *Dick* - - - - - 36,928, 37,143

Approved, *Kelkar*, 37,684 ; *Stcock*, 36,341, 36,379 ; *Kolkathkar*, 37,845, 37,856.

Varies considerably, and particulars, *Khan* 35,505-9

PENSIONS:

not Approved, *Paranjpe* - - - - - 35,968

not Approved, and increase to three-quarters or full amount available to members of I.C.S., advocated, *Thakur* - 35,626, 35,682, 35,842-6, 35,880

Listed Posts—continued.

PENSION—continued.

- Approximate to those of I.C.S. suggested, *Stanyon* 34,250
 Extra, of Rs. 1,000 a year after three years' efficient service in "superior" post, and of Rs. 2,000 after six years' service, advocated, *Hullah* - - - - - 33,558
 Improvement advocated, *Walayatullah*, 34,965; *Kolhatkar*, 37,931.
 Rs. 600 per mensem, recommended, after five years, *Khan* - - - - - 35,256, 35,584
 POWER TO FILL ONE QUARTER WITH NATIVES OF INDIA OTHER THAN OF P.C.S. OR STATUTORY CIVILIANS:
 Approved, *Mudholkar* - - - - - 37,208, 37,452
 Approved, only if restricted to recruiting higher officers of judicial service from Bar, *Kolhatkar* 37,827
 not Approved, *Shukla*, 35,086; *Sloccock*, 36,315.
 Bestowal of posts on any other "natives of India" would cause violation of, *Hullah* - - - 33,506

DIRECT APPOINTMENT:

- Graduates only should be admitted, *Thakur* 35,606, 35,804-5
 Power of, *Hullah* - - - - - 33,837-44
 Suggested, *Dixit* - - - - - 36,276
 Increase of proportion to one third, advocated, *Dixit* - - - - - 36,157, 36,276-81
 Power not always utilised and should be exercised by recruiting from legal profession, *Khan* 35,208
 not Regularly exercised, *Hullah*, 33,506; *Nelson*, 34,608-9.

- Present system, abolition advocated, if simultaneous examination introduced, *Kolhatkar* - - - 37,865
 Proposals re, better than those of previous Public Services Commission, and reasons, *Nelson* 34,821-31

RECRUITMENT:

- from all Classes possible, *Mudholkar* - - - 37,193
 of Indians:
 Approved, and extension suggested, *Moss-King* 33,877, 33,919, 34,109-11
 into Higher appointments, by selection from P.C.S., might cause diminution of, *Nelson* 34,860
 to Higher posts of judicial branch through, particulars re, *Sloccock* - - - - - 36,311
 too late in life, and alteration suggested, *Hullah*, 33,747-51; *Nelson*, 34,599, 34,695-7; *Walayatullah*, 34,943, 34,976-80, 35,012-3; *Sloccock*, 36,370-2; *Kolhatkar*, 37,900-3.
 from P.C.S., not advocated, *Kolhatkar* - 37,811, 37,872, 37,909
 Scheme, *Mudholkar*, 37,435-65; *Kolhatkar*, 37,811, 37,866-72, 37,896-8.
 by Selection:
 Advocated, *Sloccock* - - - - - 36,305
 at an Early stage of Service:
 Recommended, but some objections, *Khan* 35,395
 Scheme not objected to, *Kolhatkar* 37,901-3
 Effects of, *Sloccock* - - - - - 36,373
 Special, suggestion, *Paranjpe* - - - - - 36,111-2
 should be Reserved for Imperial Services, certain proportions being listed for Anglo-Indians and Eurasians and Indians of Provincial Services, *Stanyon* - - - - - 34,240
 Restriction to residents advocated, *Kolhatkar* 37,915
 Scheme, *Nelson* - 34,600, 34,611, 34,739, 34,821-31
 Separate cadre for Indians, an extension of system of, *Dick* - 37,005, 37,007-9, 37,095, 37,144-53, 37,182-4
 Separate from appointment of Deputy Collectors, Extra Assistant Commissioners, and Sub-Judges, advocated, *Mudholkar* - - - - - 37,209
 Specification unnecessary, except to enumerate number in judicial and executive branches, *Sloccock* - - - - - 36,317
 Superior posts only, advocated, *Hullah*, 33,507; *Khan*, 35,577-8.

Listed Posts—continued.

SYSTEM:

- Approved, *Nelson*, 34,701; *Sahasrabuddhy*, 36,649; *Kolhatkar*, 37,826, p. 304.
 Satisfactory, but some alterations suggested, *Walayatullah*, 34,943; *Thakur*, 35,606.
 Satisfactory, but not sole test of qualifications, *Mudholkar* - - - - - 37,385-7
 Transference from I.C.S. to P.C.S. advocated, and particulars re, *Sloccock* - - - 36,306, 36,380-2, 36,529-32
 (see also under Particular posts.)
 Lucknow, Judicial Branch, work higher in Central Provinces than, *Stanyon* - - - - - 34,398
 Lytton, Lord, minutes of, reference to, and opinions agreed with, *Mudholkar* - 37,189, 37,191, 37,205, 37,304-7, 37,322, 37,376-8, 37,382

M.

- Macaulay*, Lord, principles laid down by committee of: Approved, *Stanyon*, 34,210; *Nelson*, 34,621; *Khan*, 35,202, 35,216; *Paranjpe*, 35,898, 35,916; *Kelkar*, 37,669; *Mudholkar*, 37,275-6, 37,348.
 not Fulfilled under present system, and suggestions, *Sloccock* - - - - - 36,308
 Madras, Government, opening of one third scheduled appointments to Indians advocated, in 1893, *Mudholkar* - - - - - 37,191, 37,309-13

Magistrates:

- Assistant, Assistant Collectorships should not be held by, *Mudholkar* - - - - - 37,196
 Deputy, Deputy Collectorships should not be held by, *Mudholkar* - - - - - 37,196
 District (see Collectors and District Magistrates).
 Honorary, large proportion of criminal work done by, and particulars re work, *Thakur*, 35,699-713, 35,810-1; *Dixit*, 36,206.
 Indian, should be under District Magistrate's supervision, and reasons, *Stanyon* - - - 34,524
 Junior Civilian, try cases as, at first, *Stanyon* 34,566-7
 Large proportion of criminal work done by, and particulars, *Thakur* - 35,810-1, 35,699-713
 Military, useful in rebellious states, *Stanyon* - 34,201
 Particulars re powers and duties in conducting of cases by, *Sloccock*, 36,580-1, 36,614, 36,617-22; *Dick*, 37,134-7.
 Pensions, superannuation, reduction in age-limit advocated, *Mudholkar* - - - - - 37,238
 Post of civil judge and, might be combined, *Dixit* 36,219-20
 Relations with police department, particulars, *Sloccock* 36,391-4
 SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS:
 Advocated, *Shukla*, 35,173-5; *Dixit*, 36,228-31; *Kelkar*, 37,753.
 not Advocated, and reasons, *Dick* - 36,403, 36,976-7, 37,014, 37,124-30
 in Presidency towns, and dissimilarity of conditions in country, *Dick* - - - - - 37,125-9
 Training sufficient to judge cases brought before, *Khan* - - - - - 35,522-3
 Training suitable for becoming good judges afterwards, *Sloccock* - - - - - 36,234, 36,307
 Work, particulars re, *Walayatullah*, 34,990; *Dixit*, 36,228-31.
 (see also under Judicial Branch, I.C.S.)
 SUB-DIVISIONAL:
 District magistrates' power can be given to, *Stanyon* - - - - - 34,520
 Removal of power to try criminal cases from, advocated, *Sahasrabuddhy* - - - 36,766
 Selection for posts of additional sessions or sessions judges should be made only from among, *Thakur* - - - - - 35,605, 35,677
 Training in certain posts before appointment as, advocated, *Mudholkar* - - - - - 37,221

Magistrates—continued.**SUBORDINATE:**

Cases of undue interference with, by district magistrate rare, *Khan* - 35,235, 35,526-8
 Revenue functions, particulars of, *Dick* 36,903,
 37,015-20, 37,125-30
 Transfer of case from Indian to European, applications for, *Moss-King* - 33,993, 34,027-81

Malak, H. H., evidence of - - - 36,768-894

Mamlatdars:

no Legal training, *Khan* - - - - 35,525
 Named tahsildar, on Bombay side, *Paranjpe*- 36,077

Marathas:

Educational ability, *Paranjpe* - - - 35,945
 Number in P.C.S., *Hullah*, 33,570; *Kelkar* 37,681.

NON-MAHARATTA HINDUS:

Number in P.C.S., *Hullah* - - - - 33,570

Medical Attendance:

Free to officers' wives and families, advocated, *Wala-yatullah* - 34,967, 35,007-8, 35,014-6
 Provision of suitable attendance advocated - p. 310

Military Officers:

Number and particulars, *Hullah*, 33,500; *Nelson*, 34,603; *Dick*, 36,914; *Mudholkar*, 37,435-6; *Kelkar*, 37,671-2.

Popularity as compared with Civilians, *Sahasra-buddhy* - - - - 36,701-3

REINTRODUCTION OF SYSTEM:

Advocated, *Hullah*, 33,501; *Sahasrabuddhy*, 36,647-8.
 not Advocated, *Stanyon*, 34,901-2; *Nelson*, 34,604-5; *Shukla*, 35,084; *Khan*, 35,207; *Dick*, 36,914; *Mudholkar*, 37,206; *Kelkar*, 37,672; *Kolhatkar*, 37,825.

Mining Department, officer in, holding technical scholarship, particulars re, *Kelkar* - - 37,779-80

Ministerial service, exchange of duties with provincial judicial service suggested, *Paranjpe* 36,086-9,
 36,114-8

Moneylenders:

Number, business and law suits, particulars, *Sahasra-buddhy*, 36,747-54; *Dick*, 37,154-7.

Standing counsel employed by, and particulars, *Sahasrabuddhy*, 36,752-8; *Dick*, 37,158-61, 37,165-3.

Moss-King, Robert Curzon Henry, I.C.S., evidence of 33,869-34,178

Mudholkar, R. N., evidence of - - 37,187-37,657

Muhammadans:

Chances in and Desire for simultaneous examination, *Malak* - 36,815-7, 36,819-20, 36,856-8

Honours in B.A. and B.Sc. taken by, number and particulars re, conditions and prospects of, *Stocock* 36,305, 36,418-20, 36,468

Improvement in education and public life by, *Mudholkar* - 37,191

Number in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102; *Khan*, 35,252; *Thakur*, 35,597, 35,869-8; *Dick*, 36,934; *Kelkar*, 37,681.

Munsifs:

Civilians training for judicial branch should do work of, *Kelkar* - - - - 37,668

Comparison with Sub-Judge, *Hullah*, 33,778; *Stocock*, 36,406.

Inclusion of Grade in P.C.S., advocated, *Wala-yatullah*, 34,936, 34,984-7, 35,025; *Shukla*, 35,107, 35,190-1; *Paranjpe*, 35,943, 35,957, 35,980-2, 36,037-40, 36,081, 36,108; *Dixit*, 36,204, 36,208-9, 36,321-4, 36,292-3, 36,299-302; *Dick*, 36,931, 36,984-5; *Kelkar*, 37,744-5; *Kolhatkar*, 37,855, 37,906.

Interchange of duties with other judicial officers advocated, *Paranjpe* - - - 35,946, 36,113-8

Law graduates sometimes prefer to go in for law instead of becoming, and congestion of Bar owing to, and particulars, *Paranjpe* - - 36,048-52

Number of, *Stanyon*, 34,315; *Thakur*, 35,731-2, 35,735.

Munsifs—continued.

Number, increase necessary, *Paranjpe* - - 36,140
 Pay, increase of advocated, *Stanyon*, 34,304, 34,308, 34,382-5, 34,527-30, 34,569; *Wala-yatullah*, 34,985-7; *Paranjpe*, 35,957, 35,982; *Dixit*, 36,205; *Dick*, 36,903, 36,919, 36, 981-4, 37,087; *Mudholkar*, 37,286; *Kelkar*, 37,742-3.

Pecuniary jurisdiction, amount, *Hullah* - - 33,771

Pension, full, after 25 years' service, advocated, and particulars, *Kolhatkar* - - - 37,858

Promotion unsatisfactory, *Paranjpe*, 36,123; *Dixit*, 36,203, 36,207, 36,282-3, 36,299-302.

RECRUITMENT:

Direct to, does not attract best material available from local bar, as pay poor, *Stanyon*, 34,527-8; *Dick*, 36,981-4, 37,087.

Number appointed annually, *Paranjpe* 36,045-6

Qualifications required, *Hullah*, 33,774-6; *Stanyon*, 34,304; *Paranjpe*, 36,043; *Dick*, 36,923; *Kelkar*, 37,680.

Recruits from bar would start as, in subordinate civil courts, and particulars, *Dick* 36,903, 36,919, 37,079-82

Supervised by district judges, *Stanyon* - - 34,313

in Subordinate Civil Service, *Hullah* - - 33,773

System by which direct recruitment to judicial branch is restricted to recruitment of, no change advocated, *Stanyon* - - - 34,529-32

Tahsildar and police inspectors and, considered equal, but functions separate, *Wala-yatullah* 34,942, 35,028

Title of "Mr." should be prefixed to their names in official documents, *Kolhatkar* - - - 37,860

Training, particulars re, *Hullah* - - - 33,774-6

N.**Nagpur:**

Citizens, interest taken in I.C.S. problems by, *Malak* 36,850-3

Natives of India (see Indians).

Native States, inclusion of residents of, in term Natives of India advocated, and particulars, *Shukla*, 35,075; *Mudholkar*, 37,188, 37,194, 37,197, 37,264-6; *Kolhatkar*, 37,815.

Nelson, Arthur Edward, I.C.S., evidence of 34,567-34,921

Nomination (see under Recruitment).

"Non-Regulation" Province, assimilation of official nomenclature to that of "Regulation Provinces," would not be objected to, *Hullah* 33,532, 33,688-92

O.

Open Competition in England (see Indian Civil Service Examination).

Oriental Languages:

Scheme for encouragement of study of, *Nelson* 34,632

Suitable scheme of instruction in, in India could be managed, *Stanyon* - - - 34,216

in Syllabus of Civil Service examination (see under Syllabus under Indian Civil Service Examination).

Training in England in, advocated, *Nelson*, 34,927; *Stocock*, 36,308, 36,323.
 (see also Vernaculars.)

Overwork (see under Insufficiency of Staff).**P.**

Paranjpe, Ramchandra Wasndeo, evidence of 35,882-36,140

Parsis, numbers in P.C.S., *Hullah*, 33,570; *Shukla*, 35,102; *Kelkar*, 37,681.

Pay, I.C.S.:**ACTING ALLOWANCES:**

Officers will not complain of, as long as they enjoy fair measure of promotion, *Nelson* - - 34,659

Retrenchment system, particulars of, and objections to, *Nelson* - 34,659, 34,793

Scheme satisfactory, *Hullah* - - - 33,535

Pay, I.C.S.—continued.

in Central Provinces, inferiority of, in comparison with pay of other provinces, and dissatisfaction *re*, *Hullah*, 33,532; *Nelson*, 34,640.

Differentiation for Indians, necessary, *Slocock* 36,568-9

EXCHANGE COMPENSATION ALLOWANCE:

Abolition of, advocated:

With increase of pay for all officers, *Hullah*, 33,533-4; *Moss-King*, 33,890; *Nelson*, 34,658; *Khan*, 35,238; *Slocock*, 36,338; *Dick*, 36,926-7; *Mudholkar*, 37,225.

With increase of pay for officers domiciled in Europe, *Mudholkar* - - - - - 37,225-6

With restriction to future entrants, *Shukla*, 35,097; *Kolthakar*, 37,844.

no Distinction in granting of, advocated *Paranjpe*, 35,937.

First-class passage to India on appointment advocated, *Nelson*, 34,619; *Khan*, 35,214; *Slocock*, 36,319.

Fixed pay, number of appointments which do not carry, and salary of which depends on position of holders, *Hullah* - - - - - 33,528

Heaviness of charge should not be considered, but local allowance might be given, *Hullah* 33,817-20

Inadequate, and evil results, *Dick* - - - - - 36,896

Listed posts (*see under* Listed posts).

Lower posts, no dissatisfaction, and particulars *re*, *Hullah* - - - - - 33,701

Officers of Over eight years' service in receipt of less than Rs. 1,000 a month, statement of number and names, *Hullah* - - - - - 33,513

RATES OF PAY AND GRADING:

Alterations suggested if time-scale system not approved, *Nelson* - - - - - 34,655-6, 34,891

Difference in rates between provinces simpler than difference in grading, *Hullah* - - - - - 33,743

Equal, for Indians and Europeans, advocated, *Nelson* - - - - - 34,658

Grades, improvement in, necessary, *Hullah* 33,531 33,815

Mistake in list of grades, particulars *re*, *Slocock* 36,334

Number of posts and, for certain years, statement, *Hullah* - - - - - 33,529

Present system of grading satisfactory, but grade of Rs. 1,000 should be added, *Khan* 35,880-2

Reduction of age of arrival in India would improve, in proportion to age, *Slocock* - - - - - 36,503-6

not Satisfactory, *Hullah*, 33,530-1; *Moss-King*, 33,889-90; *Nelson*, 34,655; *Khan*, 35,236; *Slocock*, 36,335-6; *Kolthakar*, 37,855.

Statements in Appendix VIII:

Approximately correct, *Nelson* - - - - - 34,654

Corrections given, *Hullah* - - - - - 33,528

Unfavourable, and remedies advocated p. 306-7

Scheme unsatisfactory, *Nelson* - 34,659, 34,714-8

Special appointments, special remuneration suggested, and particulars, *Slocock* - - - - - 36,339

Special and local allowances, retention, advocated, and statement *re*, *Hullah* - - - - - 33,734

in Superior posts, should be according to status and responsibility, *Slocock* - - - - - 36,339

TIME-SCALE:

Advocated, and schemes, *Hullah* 33,537-41, 33,619, 33,623, 33,726-33, 33,859-66; *Moss-King*, 33,890; *Nelson*, 34,655, 34,661-3, 34,719-20, 34,817-9; *Khan*, 35,234, 35,239, 35,336-49; *Slocock*, 36,339; *Dick*, 36,987.

Remedy for inequalities of promotion and prospects existing under present system, *Khan* 35,236, 35,346

TRAVELLING ALLOWANCE:

Increase advocated, *Kelkar* - - - - - 37,740

Inadequate, and suggestions *re*, *Walayatullah* 34,967

On transfer, insufficient, *Kelkar* - - - - - 37,736-9

UNIFORMITY BETWEEN PROVINCES:

Advocated, *Hullah*, 33,532, 33,650-4, 33,742; *Nelson*, 34,657; *Paranjpe*, 35,936; *Slocock*, 36,337.

Dissatisfaction owing to lack of, *Khan* - 35,237 (*see also particular posts*.)

Pay, P.C.S.:

Adequate, *Kolthakar* - - - - - 37,803, 37,855

ADJUSTMENT OF SALARY BY CONSIDERATION OF TERMS NECESSARY TO SECURE LOCALLY DESIRED QUALIFICATIONS IN OFFICERS:

Approved, *Hullah*, 33,582; *Stanyon*, 34,243; *Walayatullah*, 34,946; *Shukla*, 35,106, 35,182-3; *Malak*, 36,795; *Mudholkar*, 37,235; *Kolthakar*, 37,854.

not Approved, *Thakur*, 35,609. *Paranjpe*, 35,956, 36,031-6; *Dixit*, 36,178.

GRADING:

List of grades, *Shukla*, 35,104; *Dixit*, 36,172.

Preferred to time-scale, *Khan*, 35,254, 35,404, 35,407-9; *Paranjpe*, 35,959, 36,009.

Revision of, necessary, *Hullah*, 33,584, 33,735-6; *Walayatullah*, 34,947, 34,982-3; *Shukla*, 35,104, 35,129; *Khan*, 35,254; *Thakur*, 35,611, 35,685; *Paranjpe*, 35,957, 36,100; *Dixit*, 36,172; *Mudholkar*, 37,236, 37,287, 37,653.

Improvement in, more important than in Leave Rules, *Paranjpe* - - - - - 36,025-7

PRINCIPLE OF PUBLIC SERVICE COMMISSION, 1886-87 (*see* Adjustment of Salary above).**RATES OF:**

Alterations suggested in case of retention of present system of grading, *Paranjpe* 36,100-2

Increase necessary, *Stanyon*, 34,244, 34,304-9, 34,568-70; *Khan*, 35,254, 35,403-6; *Thakur*, 35,611, 35,682-5; *Paranjpe*, 35,957, 36,100; *Mudholkar*, 37,236, 37,284-5, 37,653.

Proposed scale - - - - - p. 310

Revision, date, and effect of last, *Hullah* - 33,583

Statement for 1890, 1900, 1912, and date of last general reorganisation, *Hullah*, 33,583; *Thakur*, 35,610.

TIME-SCALE:

Advocated, *Hullah*, 33,586; *Walayatullah*, 34,949, 34,996; *Thakur*, 35,601, 35,604, 35,612-6, 35,668-72; *Paranjpe*, 35,959-61, 36,011-2, 36,014-6, 36,097-8; *Dixit*, 36,172, 36,203; *Mudholkar*, 37,235; *Kolthakar*, 37,852, 37,885-6.

Advocated, and reasons and details - - - p. 307

not Advocated, *Stanyon* - - - - - 34,245

Practical working in other services good, *Thakur*, 35,615; *Paranjpe*, 35,960.

Schemes, *Hullah*, 33,588, 33,739-41; *Walayatullah*, 34,950-1, 34,997-8.

Separate, for each main grade, not advocated, *Hullah*, 33,587; *Thakur*, 35,614.

TRAVELLING ALLOWANCES:

Present rates insufficient, and members should be classed as first class officers in matter of, *Walayatullah* - - - - - 34,967, 35,006

Proposal for improvement, *Thakur* 35,630, 35,682

Statement, *Hullah* - - - - - 33,583

on Transfers, advocated, *Paranjpe* - - - 35,965

(*see also* Executive Branch, P.C.S., and Judicial Branch, P.C.S., and under particular posts.)

Pensions, I.C.S.:

Annuity Fund, complaints of secrecy in management, *Nelson* - - - - - 34,771-3

ANNUITY DEDUCTIONS:

Abolition suggested - - - - - p. 309

Conversion into Provident fund, suggested, *Slocock*, 36,319, 36,351

(*see also* Non-Contributory below.)

ANNUITIES:

Amount contributed by officers and by Government, *Hullah* - - - - - 33,550

Equal:

Real, of 1,000l. advocated, *Nelson* - - 34,675

Satisfactory as a whole, *Hullah*, 33,550-3, 33,555, 33,557; *Nelson*, 34,675.

not Satisfactory, *Moss-King* - - - - - 33,592

System generally satisfactory, but too much paid by officers and not enough by Government, *Slocock* - - - - - 36,319-71

Increase to certain officers advocated, *Slocock*, 36,349-51; *Robertson*, p. 313-4.

Pensions, I.C.S.—continued.Listed posts (*see under Listed Posts*).

Medical, suggested scale, *Nelson* - - - - - 34,679
 Necessity of retaining 1,000l. on retirement, *Hullah* - - - - - 33,550

NON-CONTRIBUTORY :

Advocated, and scheme, *Moss-King* - - - - - 33,893,
 33,963-5
 not Advocated, *Nelson* - - - - - 34,676
 Minimum, advocated, *Slocock* - - - - - 36,350
 Net, of 1,000l., advocated - - - - - p. 309
 Reduction, question of effect, *Moss-King* - - - - - 33,964

REDUCED FOR INEFFICIENCY :

Approved, *Khan*, 35,194, 35,247, 35,433; *Thakur*, 35,625.
 Approved, and scale of medical pensions suggested, *Hullah*, 33,556; *Nelson*, 34,678, 34,727-32; *Slocock*, 36,358.

Proportionate, at early stage, advocated - p. 309
 Views of Government of India *re*, agreed with, *Hullah* - - - - - 33,556

RULES :

Satisfactory with regard to interests of Government and individuals, and for voluntary or compulsory retirement, *Khan* - - - - - 35,248
 not Satisfactory, and suggestions *re*, *Nelson* 34,679
 Superannuation, sliding-scale not approved for, *Moss-King*, 33,893; *Slocock*, 36,350.
 not Understood fully that Government does not contribute full amount, *Moss-King* - - - - - 33,963-4
 (*see also under Executive Branch, I.C.S.*)

Pensions, P.C.S. :

Age limit for Indians should be reduced for purpose of, *Walayatullah* - - - - - 34,966
 Alterations suggested, *Paranjpe* 35,966, 36,029-30
 Amounts and particulars *re*, *Mudholkar* 37,655-6
 Extensions after 55, abolition advised, *Walayatullah* 34,963

Fixed in proportion to pay, and improvements in pay would naturally benefit, *Paranjpe* - - - - - 36,026-9,
 36,103-6

on Half pay, period of service of qualifying for, should not be same for judicial and executive officers, *Walayatullah* - - - - - 34,966

REDUCED FOR INEFFICIENCY :

Approved, and particulars *re*, *Paranjpe* - - - - - 35,967
 not Approved, *Walayatullah* - - - - - 34,984
 Sufficient, *Kolhatkar* - - - - - 37,933
 should Suit position and rank of receiver, *Paranjpe* 36,107

System satisfactory, *Hullah*, 33,594-5; *Walayatullah*, 34,962; *Thakur*, 35,623; *Sahasrabuddhy*, 36,668.
 (*see also under Judicial Branch, P.C.S.*)

Pleaders :

Appointed to sub-judgeships, certificate from district judge and length of practice should be considered, and particulars, *Paranjpe* - - - - - 36,003
 Appointment, suggestions *re*, *Walayatullah* - - - - - 34,936
 Outsiders sometimes taken as, and little work done by, *Paranjpe* - - - - - 36,047, 36,053
 Recruitment to judicial branch, advocated, and particulars *re*, *Stanyon* - - - - - 34,374-7, 34,389

Police :

domiciled Europeans and Anglo-Indians serving in commissioned and non-commissioned ranks, comparison with Europeans, and particulars *re* recruitment of, *Slocock* - - - - - 36,489-96
 Inspector of munsif, tahsildar, and, considered equal, *Walayatullah* - - - - - 35,028

INSPECTOR GENERAL :

Appointment open to I.C.S. and Police Department, and benefit of recruitment from I.C.S. doubtful, but no alteration advocated, *Slocock* 36,448-51, 36,510-2
 Pay and position, *Hullah*, 33,514, 33,529, 33,734; *Slocock*, 36,330, 36,334.
 Should be member of I.C.S., *Dick* - - - - - 36,910
 Statement *re*, incorrect, and corrections, and particulars *re* pay, &c., *Nelson* - - - - - 34,640
 Instances of Civil Servants taking charge of, *Kelkar* 37,666

Relations with magistracy, particulars, *Slocock* 36,591-4

Training particulars, *Slocock* - - - - - 36,324, 36,392,
 36,397-8, 36,452-6

Poona, Fergusson College, advocated for training candidates for I.C.S., and particulars, *Malak* - - - - - 36,879,
 36,881, 36,883

Post Office :

Instances of Civil Servants taking charge of, *Kelkar* 37,666

Superintendents of post offices, treated as first-class officers for travelling and daily allowances, *Thakur* 35,630

Precedence, Warrant of, senior officers of P.C.S. may be given some place in, *Walayatullah* - - - - - 34,967

Probation, I.C.S. :

Advocated, *Shukla*, 35,089; *Dixit*, 36,161; *Sahasrabuddhy*, 36,650; *Mudholkar*, 37,211; *Kolhatkar*, 37,830.

ALLOWANCE :

Advocated, *Moss-King*, 33,886, 34,069-73; *Stanyon*, 34,208.

Advocated, and present scale might be improved, *Paranjpe* - - - - - 35,913

150l. and first-class passage to India recommended contingent on residence at university, *Khan* 35,214

Scheme, *Nelson* - - - - - 34,619

COURSE OF STUDY :**Accounts :**

Advocated, *Paranjpe* - - - - - 35,917
 not Necessary, *Nelson* - - - - - 34,623
 Teaching not feasible without extension of period, *Khan* - - - - - 35,218

no Alterations suggested except re-marking of certain subjects, *Paranjpe* - - - - - 35,916

Candidates should study language, agriculture, and settlement, of province to which they are posted, *Sahasrabuddhy* - - - - - 36,651

Differentiation for Natives of India :

Advocated, and particulars, *Paranjpe* - - - - - 35,924
 not Advocated, *Stanyon*, 34,218; *Nelson*, 34,628; *Khan*, 35,223; *Dixit*, 36,162; *Shukla*, 36,652, 36,708-9; *Dick*, 36,918; *Mudholkar*, 37,213; *Kolhatkar*, 37,832

not Advocated, unless Natives of India posted to their own provinces, and particulars, *Sahasrabuddhy* - - - - - 36,652, 36,708-9

Europeans should learn one vernacular at least, *Dixit* - - - - - 36,162

Indian Geography :

Advocated, *Paranjpe* - - - - - 35,917
 not Necessary, *Nelson* - - - - - 34,623
 Teaching not feasible without extension of period, *Khan* - - - - - 35,218

Indian languages :

Knowledge should be laid in England, but no serious attempt need be made at colloquial instruction, *Nelson* - - - - - 34,623

Special attention should be paid to training in, *Shukla* - - - - - 35,091

Teaching not feasible without extension of period, *Khan* - - - - - 35,218

LAW :**Attendance at law courts :**

Advocated, *Nelson*, 34,623; *Paranjpe*, 35,917.
 not Advocated, *Stanyon*, 34,212, 34,366-71; *Khan*, 35,218.

Indian law :

in Addition to general principles of jurisprudence, advocated, *Nelson* - - - - - 34,623
 not Feasible unless period extended, *Khan* 35,218

Political economy :

Advocated, *Paranjpe* - - - - - 35,917
 not Necessary, *Nelson* - - - - - 34,623
 Teaching not feasible without extension of period, *Khan* - - - - - 35,218

Present, suitable and some changes recommended, *Khan*, 35,217; *Mudholkar*, 37,212.

Principles of Lord Macaulay's Committee *re* :

Agreed with, but special law examination would not violate, *Mudholkar* - - - - - 37,275-6, 37,343

Probation, I.C.S.—continued.

COURSE OF STUDY—continued.

Principles of Lord Macaulay's Committee, re—
continued.

Satisfactory for candidates who pass examination after completing University course, *Nelson* - - - - - 34,621

Sound, provided probationer's course is continued in England, *Stanyon* - - - - - 34,210

Schemes, *Stanyon*, 34,211-2; *Nelson*, 34,622.

Suggestions re, *Shukla* - - - - - 35,001

Test about languages, local laws and Indian polity, suggested as in P.C.S., *Malak* 36,787-8, 36,870-2

DIFFERENTIATION BETWEEN PERSONS OF MIXED AND UNMIXED DESCENT:

not Advocated, *Nelson*, 34,636; *Khan*, 35,230; *Dixit*, 36,160; *Sahasrabuddhy*, 36,662; *Mudholkar*, 37,223; *Kolhatkar*, 37,843.

Natives of India should spend probation in England and Europeans in India, *Paranjpe* 35,933

IN ENGLAND:

Advocated, *Nelson*, 34,624; *Khan*, 35,219; *Mudholkar*, 37,214; *Kelkar*, 37,675-6, *Kolhatkar*, 37,833.

Advocated if age limit reduced, *Sloccock* - - - - - 36,318

Advocated only if appointments to judicial branch made from I.C.S., *Dick* - - - - - 36,919

not Advocated, *Dick* - - - - - 36,917

Allowances advocated, with first-class passage to India, *Sloccock* - - - - - 36,319

Allowances and term of, particulars re, and expenditure would be justified, *Mudholkar* 37,357-66

Continuation of system, advocated, *Khan*, 35,210; *Nelson*, 34,615.

General course for one year or more, should be given, *Paranjpe* - - - - - 35,915

Increase in number of Indians in residence at Cambridge, *Khan* - - - - - 35,295

for Indians essential, *Moss-King* - - - - - 33,871

for Indians for 1½ years advocated, and suggestions, *Malak* - - - - - 36,788, 36,836-7, 36,873

Period:

One year:

for Europeans and two years for Anglo-Indians and Eurasians advocated, *Stanyon* 34,204, 34,358

Satisfactory under present system, *Khan*, 35,211, 35,282, 35,397-401; *Paranjpe*, 35,909-10, 35,923, 35,933.

Two years:

Advocated, *Paranjpe*, 35,923, 35,933; *Kelkar*, 37,674.

Advocated for Indians, *Paranjpe*, 35,922; *Kolhatkar*, 37,842; *Robertson*, p. 303.

should be Compulsory if direct recruitment in India introduced, *Paranjpe* 35,910, 35,922

at University or College for Indians recruited in India, advocated, *Mudholkar* - - - - - 37,191, 37,426-8

Three years' study suggested, with scholarship scheme, *Khan* - - - - - 35,272

Preferred for Indians, *Paranjpe* - - - - - 35,918

Separate institution:

Advocated, and particulars, *Dixit*, 36,163, 36,320; *Malak*, 36,789.

not Advocated and reasons, *Nelson*, 34,619; *Khan*, 35,215; *Sloccock*, 36,320.

Civil Service Commissioners should decide upon advisability of, *Paranjpe* - - - - - 35,914

not approved University:

Advocated, and scheme and particulars re, *Moss-King*, 34,072; *Stanyon*, 34,206-7, 34,209; *Nelson*, 34,617-8, 34,790-4; *Khan*, 35,212-13, 35,223, 35,292, 35,386; *Paranjpe*, 35,911; *Mudholkar*, 37,357-64.

not Advocated, *Dixit* - - - - - 36,163, 36,190-1

Particulars re spending at, *Dixit* - - - - - 36,190

Selection of should be in hands of Civil Service Commissioners, *Paranjpe* - - - - - 35,912

High-born Indians should spend much longer period and at different centres, in case of nomination by Secretary of State, *Paranjpe* - - - - - 35,934

Probation, I.C.S.—continued.

IN INDIA:

Arrangements for course of instruction by Provincial Governments:

Advocated, *Paranjpe*, 35,920; *Sahasrabuddhy*, 36,655; *Mudholkar*, 37,216, 37,231.

not Advocated, *Kolhatkar*, 37,835; *Nelson*, 34,626; *Shukla*, 35,094; *Khan*, 35,221.

Preferred to one centre, *Moss-King* - - - - - 33,886

Best place after one year's probation in England, *Sloccock* - - - - - 36,321

Better than in England, *Sloccock*, 36,308, 36,321; *Sahasrabuddhy*, 36,653, 36,691.

Character well developed by, *Sloccock* - - - - - 36,481

Special College:

Advocated, and particulars, *Stanyon*, 34,214, 34,285-302, 34,358-62; *Paranjpe*, 35,919, 35,923, 35,933; *Malak*, 36,788, 36,838-40, 36,873-5.

not Advocated, and reasons, *Nelson*, 34,625; *Shukla*, 35,093; *Khan*, 35,220; *Dixit*, 36,164; *Sloccock*, 36,322; *Sahasrabuddhy*, 36,654; *Dick*, 36,920; *Mudholkar*, 37,215, 37,356; *Kolhatkar*, 37,834.

Preferred, if candidate has public school education, *Moss-King* - - - - - 33,886, 34,089

Preferred for Europeans, *Paranjpe* - - - - - 35,918

Last year, under senior officer not better than at a college in India, and reasons, *Stanyon* 34,295-302

Overwork, danger of, *Nelson* - - - - - 34,622-3

Part of time should be spent in India and part in England, and particulars re, *Stanyon* - - - - - 34,213

PERIOD:

should Allow for completion of general education and for special studies suited for career in India, *Nelson* - - - - - 34,621

One year, advocated, *Nelson*, 34,616, 34,711; *Kolhatkar*, 37,831.

One or two years advocated, *Malak* - - - - - 36,786

Two years advocated, *Moss-King*, 33,886, 34,070-3; *Paranjpe*, 35,882; *Dixit*, 36,163; *Sahasrabuddhy*, 36,651; *Mudholkar*, 37,212.

Two years in England for Indian candidates, and a year in England and one in India for European candidates advocated, *Shukla* - - - - - 35,090, 35,092

Probationers should not be shipped to India directly after severe examination, but allowed period of rest, *Nelson* - - - - - 34,624

at Resident university - - - - - p. 303

Scheme, *Stanyon* - - - - - 34,205-15, 34,358-71

not very Serious training, and particulars re, *Nelson* 34,710-2

System, and satisfactory, *Walayatullah* - - - - - 34,935

Training for first two years' service, scheme, *Stanyon* 34,215, 34,358-63

(see also under Executive Branch, I.C.S., and Judicial Branch, I.C.S.)

Probation, P.C.S.:

PERIOD:

One year, instead of two, should be enough if passing of departmental examinations not called for, but reduction not advocated, and scheme, *Thakur* - - - - - 35,598

Two years tantamount to weeding out, *Khan* 35,409

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Scheme, *Stanyon* - - - - - 34,234

SYSTEM:

Satisfactory, *Shukla*, 35,103; *Sahasrabuddhy*, 36,666; *Kolhatkar*, 37,851.

not Satisfactory, and reasons, *Stanyon* - - - - - 34,234

Promotion, I.C.S.:

All members should have prospect of, within reasonable time, *Nelson* - - - - - 34,664

BLOCK IN:

Causes, particulars re, *Hullah*, 33,515, 33,611-3; *Moss-King*, 33,889; *Nelson*, 34,645, 34,649, 34,801-5; *Dick*, 36,896.

Scheme for removing, *Nelson* - - - - - 34,645, 34,649, 34,801-5, p. 304-7

Graded system, no advantage in, *Sloccock* - - - - - 36,339

Grade, should be contingent on standard passed in departmental examination, *Khan* - - - - - 35,225

Promotion, I.C.S.—continued.

of inefficient men, stopped, *Walayatullah* - 34,941
Officers failing to obtain, number, and inconveniences
caused by, *Nelson* - 34,639

OFFICIATING GRADE:

Delay in notifying promotions and reversions, and
hardship of, *Hullah*, 33,536; *Nelson*, 34,660.

Promotion and reversion of officers of I.C.S., noti-
fication - p. 291
Reduction of age of arrival in India, would not
affect, *Slocock* - 36,502-6

SELECTION:

Little under present system, but better than by
seniority, *Khan* - 35,345-9
Proposals of Government of India, approved,
Hullah - 33,526

Recommendations of Decentralisation Committee:

Approved, *Khan* - 35,234
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introduction of scheme for extra pensions,
Slocock - 36,349

by Seniority under present system, and no advantage
over time scale, and suggestions, *Khan* 35,345-9
to Superior posts, at ages of 29 or 30 proposed, with
same period of service before, *Slocock* - 36,308,
36,389-91

System satisfactory, *Nelson* - 34,652

Time-scale (see under Pay, I.C.S.).
(see also under Judicial Branch, I.C.S.)

Promotion, P.C.S.:

Extension of service, abolition, except in exceptional
cases, advocated, *Thakur* - 35,604

Grade above Rs. 400, officers passed over for, few
instances known, *Walayatullah* - 34,993-4

Graded system, congestion owing to, and time-scale
would improve matters, *Paranjpe* 35,959, 36,097-8

TO HIGHER POSTS:

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Moss-King - 33,877, 33,912

by Merit, would not cause dissatisfaction, *Nelson* -
34,741-3

Training in P.C.S. not of itself adequate, *Moss-
King* - 33,913-6

Increase of prize appointments would be an attrac-
tion, but promotion should be earlier, *Dixit* -
36,155, 36,276-81

Interests of administration and of individuals duly
reconciled, *Paranjpe* - 35,951

OFFICIATING GRADE, ABSENCE OF:

a Grievance, and suggestions re, *Walayatullah*,
34,948; *Thakur*, 35,601, 35,612-3, 35,668;
Paranjpe, 35,958, 36,101-2; *Kelkar*, 37,683,
37,732-5.

Grievance, but no change advocated in system,
Hullah - 33,585

Present system, satisfactory, and continuance advo-
cated, *Walayatullah* - 34,941

Rules, list of, *Hullah* - 33,564
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BY SELECTION:

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to Grades above that carrying Rs. 400 a month,
rule approved, *Hullah* - 33,579

is Not and should not be enforced, *Stanyon* 34,238
Special, advocated, *Thakur* - 35,616

by Seniority and efficiency, and suggestions re,
Walayatullah - 34,940

Seniority tempered with selection, generally approved,
Slocock - 36,546-8

SLOW:

Causes, and no officiating promotions, *Walayatullah*
34,939, 34,948

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ment, *Thakur* - 35,795-8, 35,804

Time-scale (see under Pay, P.C.S.).
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Conversion of 4 per cent. contribution into, advocated,
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Number of members of P.C.S. subscribing to, *Hullah*
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Present arrangements satisfactory and utilised by
members of P.C.S. and expansion would be
appreciated, *Paranjpe* - 35,970

Subscribed to by most members of P.C.S. as well as
other insurance funds, and no further facilities
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Provincial Civil Service:

Appointments, details, *Thakur* - 35,593

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CLASSES OF OFFICES AND APPOINTMENTS:

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educated classes, *Paranjpe* 35,956, 36,031-3, 36,036

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Thakur, 35,608; *Paranjpe*, 35,955; *Mudholkar*,
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Hindus, not advocated, *Thakur* - 35,756-8

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tinuous service to highest post, question of,
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34,125, 34,158-63

Organisation not approved of, and reasons, *Stanyon*,
34,252; *Thakur*, 35,629; *Kolhatkar*, 37,859.

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Nelson, 34,734-7, 34,796-8; *Shukla*, 35,137; *Dixit*,
36,171.

POSTS OPEN TO:

should not be Guaranteed to men entering for
I.C.S. examination in case of failure, *Dick* 37,101

too Many, in 5th and 6th grades, *Thakur* - 35,604

None higher than district officers and district
sessions judges, *Mudholkar* - 37,205

Unsuccessful scholars in I.C.S. examination might
enter, *Khan* - 35,197

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no Reserve provided for, in scale, but power of Chief
Commissioner to appoint a limited number of
probationers, if necessary, *Thakur* - 35,602

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Starts from sub-judges and goes up to district
judges, *Dixit* - 36,204

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- Superior posts in, qualification should be B.L. or LL.B. instead of B.A. and B.Sc. as fixed for subordinate line, *Thakur* - 35,759-86
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- Principles laid down by re pay (see under Pay, I.C.S.).
 Work done by, particulars, *Mudholkar* - 37,189,
 37,205-6, 37,209, 37,446-51

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- Head of, should be member of I.C.S., *Dick* - 36,910
 Pension, additional, to certain officers of high rank, may be sanctioned on certain conditions, *Hullah* - 33,550
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Q.

- Queen's Proclamation, not violated by present system of recruitment, *Nelson* - 34,582
 Quinquennial examination (see under Conditions of Service, I.C.S.).

R.

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Recruitment, I.C.S.:

- AGE OF ARRIVAL IN INDIA:
 20-21, advocated, and reasons, *Slocock* - 36,308-9,
 36,482-7, 36,387-8
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Kolhatkar, 37,818.
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Sahasrabudhy, 36,645; *Malak*, 36,779, 36,821.
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- Accurate results obtained if system for regulation of, strictly adhered to, *Hullah* - 33,525
 Regulated according to certain percentage of sanctioned strength of the Commission, and no change advocated, *Nelson* - 34,651

CLASS REPRESENTATION:

- Appointment of members from depressed classes would not be resented, *Sahasrabudhy* 36,745-6
 Desirable, and particulars, *Slocock*, 36,533-4;
Sahasrabudhy, 36,712-7, 36,744; *Malak*, 36,775,
 36,813; *Kolhatkar*, 37,811.
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 37,660, 37,681.
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 tion, *Dick* - 37,029-31
 Existence of distinct classes serious obstacle, and
 reasons, *Moss-King* - 33,877
 Government policy to obtain, as far as possible, and
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 Men if efficient would not be excluded on account
 of caste or class, *Moss-King* - 34,139
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 37,376-83
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Recruitment, I.C.S.—continued.

- Differentiation between Europeans and other classes
 of natural-born subjects not desirable except with
 regard to age-limit, *Stanyon* - 34,182
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IN ENGLAND:

- of Indians for listed posts, better than recruitment
 from P.C.S., but would take some time, and
 temporary scheme, *Khan* - 35,476-82
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 owing to education in Western ideas and
 contact with Europeans, *Sahasrabudhy* 36,637,
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 37,325, 37,330
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 in sending their best men up for examination,
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IN INDIA:

- Allocation of officers between provinces, no
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 Advocated, and particulars, *Waiyatullah*,
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Mudholkar, 37,193; *Kelkar*, 37,665; *Kolhatkar*,
 37,811, 37,829, 37,876-7.

Indians:

- should still be Eligible for appointment in
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tullah, 34,926; *Shukla*, 35,073; *Paranjpe*,
 35,891; *Dixit*, 36,147; *Sahasrabudhy*, 36,640;
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 promotion to listed posts from P.C.S., advocated,
Sahasrabudhy, 36,641; *Kolhatkar*, 37,813.
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Malak - 36,783
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 particulars, *Dixit* - 36,155, 36,270-5
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INDIANS:

- most Brilliant class of men, difficulty of nt-
 tracting, *Mudholkar* - 37,388-91
 Experience in P.C.S. not necessary, *Moss-King*
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 pensation for reduction of recruitment in
 British branch, and particulars, *Slocock* 36,305,
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 Permanent appointments to posts under I.C.S.,
 Act, 1861, *Nelson* - 34,612
 Physical risks of study in England, and moral and
 intellectual risks should also be considered,
Malak - 36,560-4
 Posts open to, one sixth advocated in 1879, and
 far too small now, *Mudholkar* 37,191, 37,449-50

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INDIANS—continued.

Present system:

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Paranjpe, 35,901.
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 35,082; *Kolhatkar*, 37,823.

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50 per cent. Advocated, *Mudholkar* 37,191,
 37,203, 37,254, 37,331, 37,506

One third only by open competition with simul-
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 to English, and scheme, *Mudholkar* 37,191-2,
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Selection and examination. scheme. *Stanyon*

34,538-42

same Standard advocated, *Mudholkar* 37,403-5

Unlimited. beyond bounds of practical politics,
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Intellectual and moral fitness only, should be con-
 sidered in, *Shukla* 35,072

Junior officers, restriction to number likely to be
 promoted to superior posts under time-scale
 system, scheme, *Nelson* 34,644

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NOMINATION:

Advocated as preliminary to open competition, and
 particulars re, *Moss-King*, 33,870, 33,897, 34,092-
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 37,385-7; *Kelkar*, 37,681, 37,665, 37,712-6.

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Stoccock 36,305, 36,362-3

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Khan 35,379, 35,463-4, 35,466-7

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Prohibition by employment, value of, *Mudholkar*
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FROM PROVINCIAL CIVIL SERVICE:

Better method of obtaining Indian talent than
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RECRUITS:

Good men, *Dixit* 36,160, 36,292-3

Older under present system, but same class and
 equally good men, and particulars, *Dick* 36,895

Suitable, but room for improvement, and par-
 ticulars, *Moss-King*, 33,880; *Stanyon*, 34,192
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RESTRICTION TO RESIDENTS:

Admission of non-residents no disadvantage,
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OF SELECTED OFFICERS FROM OTHER INDIAN SERVICES:

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 36,313

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Selection by merit, chances good for Indians of
 ability, *Dick* 36,895, 36,943

Selection for superior posts, orders of Government
 of India re, followed in, Central Provinces and
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Service at present recruited on strength of judicial
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System defective and promotion impeded by, *Khan*
 35,234

System does not violate Qucon's Proclamation or
 Act of 1833, *Nelson* 34,582

Time-scale of pay would not affect, *Stoccock* 36,840

of Undesirables, small, and opinion re exclusion,
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University career not absolutely necessary, *Stoccock*
 36,480

Universities, not as good training grounds as public
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Vested interests, opinion re, and sudden listing of
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 Branch, I.C.S.)

Recruitment, P.C.S.:

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 taken re, *Hullah* 33,700

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Appointments created by local administration,
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Advocated, *Hullah*, 33,570; *Shukla*, 35,102;
Malak, 36,794, 36,845-6; *Kolhatkar*, 37,850.

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 34,233.

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 munity, *Hullah* 33,755

Brahmans and Muhammadans predominating,
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 would improve matters, *Khan* 35,252

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Efficiency of service of more importance than,
Thakur, 35,597, 35,741; *Paranjpe*, 35,945.

Ensured, for classes availing themselves of facilities,
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 35,802; *Sahasrabuddhy*, 36,665; *Dick*, 36,934;
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Influential minorities should be encouraged,
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Competition: unknown and unnecessary, *Thakur*
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Conditions generally suitable, *Hullah*, 33,563; *Stanyon*,
 34,228; *Walayatullah*, 34,929; *Khan*, 35,250;
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Paranjpe 35,942

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 satisfactory, *Thakur* 35,639

to Higher grades, recommended; *Dixit* 36,276,
 36,279-80

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Nomination by Divisional Commissioners recommended as best scheme, and particulars, *Thakur* 35,595, 35,638, 35,741-8
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Indian graduates, increase probable in future, and competition for modicum of appointments advocated
Khan, 35,250

Interval between taking University course and, not considered hardship to poorer University student, *Hullah* - - - - - 33,697-8

from Ministerial service, diminution and final abolition, and particulars *re*, *Thakur* 35,767-74,
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NOMINATION:

Approved, *Stanyon*, 34,231; *Shukla*, 35,100; *Thakur*, 35,746-8; *Dixit*, 36,174.

Disadvantages of system, *Dixit* - - - - - 36,172

Present system, particulars *re*, *Hullah* 33,660-4

System suitable, *Slcock* 36,305, 36,362-3, 36,465

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by Nomination and selection, advocated, and scheme for selection by Board, *Hullah* 33,568, 33,620-1.
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Number of recruits from other services, and from among non-officials, 1893-1912, *Hullah* - 33,566

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Advocated, *Nelson*, 34,799; *Kelkar*, 37,790.
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Supplemented by nomination advocated, and particulars *re* tests, *Shukla* 35,099, 35,100;
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Other than "Natives of India" in P.C.S. and statutory civilians, number, *Hullah*, 33,567; *Thakur*, 35,594.

Particulars and system not approved, *Dixit*, 36,204, 36,279; *Slcock*, 36,305.

no Principle favoured by which older men preferred. *Hullah* - - - - - 33,649

Restriction of selection to graduates and men of high family not necessary if scheme for Statutory Civilians carried out, *Shukla* - - - - - 35,156

RESTRICTION TO RESIDENTS IN PROVINCE:
 Advocated as a rule, *Hullah*, 33,569; *Shukla*, 35,101; *Khan*, 35,251; *Thakur*, 35,596, 35,824-5, 35,854-9; *Dixit*, 36,173; *Sahasrabudhy*, 36,664, 36,707-8, 36,718-20, 36,734-5; *Dick*, 36,933; *Mudholkar*, 37,229; *Kolhatkar*, 37,849.

not Advocated if number insufficient, or education defective, *Malak* - - - - - 36,794, 36,847-9

not Advocated, and only reasonable proportion of posts should be reserved for, and reasons, *Stanyon* 34,232, 34,318-22

Non-residents should be admitted if necessary to efficiency of service, but claims of residents should come first, *Paranjpe* - 35,844, 36,092-3

Non-residents of province rare now, but more formerly, *Hullah*, 33,569; *Thakur*, 35,596.

Principle sound, but recruitment from other provinces if full number not attained, advocated, and particulars, *Malak* 36,793-4, 36,843-4, 36,847-9

Recruitment, P.C.S.—continued.

RESTRICTIONS TO RESIDENTS IN PROVINCE—continued.

Three years' residence, rule should be relaxed, and particulars, *Paranjpe* - - - - - 35,941

Usual, but some exceptions, and particulars *re*, *Walayatullah* - - - - - 34,934

RULES:

Copy, *Hullah* - - - - - 33,564

Educational qualifications:

Europeans and Eurasians have an unfair advantage under, and should conform to same standard as the rest, *Thakur* - 35,759-66,
 35,818, 35,829

Exception in case of classes other than "Indians of noble family" not advocated. *Thakur* 35,864

Examination of B.A. and B.Sc. and in certain cases of LL.B. or B.L. should be passed by candidates, and reasons, *Kolhatkar* - 37,848

Power of Government to make direct appointments under, seldom realised, *Dixit* - - - - - 36,279

Satisfactory, *Dixit*, 36,171; *Sahasrabudhy* 36,663.

Suitable on the whole, and amendments suggested *re* law qualifications, *Thakur* - - - - - 35,591,
 35,759-65, 35,829-30

Scheme for alteration, *Kolhatkar* - - - - - 37,848

SELECTION:

for Appointment to higher grades, strict enforcement of system advocated. *Thakur* - 35,603,
 35,604, 35,673-6

not Advocated, *Paranjpe* - - - - - 35,892

and Nomination approved to certain extent, and particulars, *Paranjpe* - 35,943, 35,997-6004

66 per cent. from tahsildars, advocated, *Thakur* 35,595, 35,637, 35,794, 35,812-4

Statement showing number of officers from 1893-1912, *Thakur* - - - - - 35,593

System, direct appointment of non-officials, and selection of officers from other services, especially Subordinate Civil Service, *Hullah* - - - - - 33,566

System, and particulars *re*, *Kelkar* 37,787-9, 37,791

(see also under Executive Branch, P.C.S., and Judicial Branch, P.C.S.)

Registrar of Co-operative Credit Societies (see Co-operative Credit Societies, Registrar of).

Registrars:

Deputy, interchange of duties with certain officers advocated, *Paranjpe* - - - - - 35,946

Judicial Commissioners' court, post transferred to P.C.S., *Thakur* - - - - - 35,593, 35,606

Rates of pay, and number of posts, *Hullah* - 33,529

Reservation of post to P.C.S. advocated, *Paranjpe* 35,908

Registration, Inspector-General of, creation of post referred to, and listing would give satisfaction, *Thakur* - - - - - 35,606, 35,808-9

Reservation of Posts for I.C.S. (see Statutory Regulations).

Retirement, I.C.S.:

COMPULSORY:

After 25 years' service:
 and at Option of Government advocated, and scheme, *Moss-King* - - - - - 33,894, 33,966-8,
 34,012-4

Rule would enable much closer approximation of annual decremental rate of strength of service, *Nelson* - - - - - 34,048

on Minor pension before end of 25 years' service, by Secretary of State, might be beneficial to Government in special cases, *Moss-King* 3,969-733

COMPULSORY, FOR INEFFICIENCY:

Advocated - - - - - p. 303, 309

on Pension or gratuity within first few years of arrival in India, scheme, *Khan* 35,191, 35,433

Might tend to make the service unpopular, *Moss-King* - - - - - 34,104-5

Proposals of Government of India approved, *Hullah* - - - - - 33,526

Recommendation of Decentralization Commission approved, *Khan* - - - - - 35,234

Reduced pensions (see under Pensions, I.C.S.).

Retirement, I.C.S.—continued.

Extensions of service considerable, and not advocated and reasons, *Walayatullah* 34,939, 34,999-5000
on Full pension after 25 years' service, with possibility of extension, and scheme, *Nelson* 34,679, 34,812-6
Optional, after 25 years' service, and with a pension, scheme approved, *Stanyon* - 34,571
Voluntary and compulsory rules, scheme, and compulsory retirement after 55 advocated, *Walayatullah* 34,966, 35,001-3
Voluntary, rules satisfactory with regard to, *Khan* 35,248

Retirement, P.C.S.:**COMPULSORY:**

Extensions beyond 55 objected to, *Thakur* 35,624
Objected to, and suggestions re, *Walayatullah* 34,941
Rules fairly satisfactory, but should be more strictly enforced, *Thakur* - 35,627
Compulsory on account of inefficiency proposed, and same pension allowed as if officers were compelled to retire on account of ill-health, *Hullah* - 33,579
Extensions of service disapproved, *Paranjpe* 35,966
transfer of inefficient officers to different branch recommended as an alternative, *Paranjpe* 35,951
Rules, satisfactory, *Hullah*, 33,596; *Stanyon*, 34,251; *Thakur*, 35,627.

Revenue Inspectors, incumbencies, and extra assistant commissionerships gained by, and inefficiency in most cases, *Thakur* - 35,843

Revenue and Land Records systems, full knowledge of working of, necessary, and only obtainable by going into camp, *Khan* - 35,558-9

Revenue officer, no criminal powers actually needed in performance of work, *Kelkar* - 37,762

Revenue system, different from that in Bengal, and contact with people frequent and a stimulus to learning vernacular, *Khan* - 35,823

Revenue and Tenancy Law, knowledge of both sides of, gained by legal practitioners, *Dick* - 36,903

Revenue work, rules for training probationers pp. 283-4

Robertson, the Hon. Sir Benjamin, K.C.S.I., C.I.E., note by, page 300-4.

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Sahasrabudhy, Pandit Govind Rao, evidence of 36,635-36,767

Salary (see Pay).

Sanskrit (see Oriental Languages and under Syllabus under Indian Civil Service Examination).

Scholarships:

would be Accepted if no simultaneous examination granted, and number adequate, and details, *Mudholkar* - 37,259-61

Advantage of, not great, *Mudholkar* - 37,229-31
Advocated, *Walayatullah*, 34,928, 34,972-3; *Paranjpe*, 35,197, 35,263-75, 35,302, 35,311, 35,358-9, 35,369-70, 35,500, 35,882, 36,011; *Dixit*, 36,259-60; *Sahasrabudhy*, 36,680-4; *Dick*, 36,896-7, 36,945-9, 36,952-6, 37,038-9, 37,096-7, 37,138, 37,151.

Competitive examination instituted by universities not objected to, *Dick* - 37,038-9, 37,096
Failures, suggestions for future careers, *Dick* 37,098-101

for Graduates, advocated, and scheme likely to be fairly successful, *Khan* - 35,197, 35,226, 35,263-75

Grant of, on liberal scale would encourage higher education among poorer communities and assist in due representation of classes, *Khan* - 35,252
Grant in 1867, and withdrawal, particulars, *Mudholkar* 37,189, 37,257-8

Increase of successful candidates for Indian Civil Service anticipated if scheme adopted, *Khan* 35,272
Increase advocated, *Moss-King* - 34,000-4, 34,108
with Nomination, not advocated, *Robertson* - p. 301

Scholarships—continued.

OFFERED BY PRIVATE ASSOCIATIONS OR PERSONS :
Development expected, *Khan* - 85,500-1

Successful in nearly all cases, and arrangements re payment and period of training in England, *Khan* 35,197, 35,305-9, 35,310

Scheme for working up number to appointment of one third to superior posts should last for next 50 years, and particulars, *Khan* - 35,495-504

Scheme impossible if age-limit for competitive examination reduced, *Khan* - 35,311-3

Selection from universities, according to merit, should be made by Board of Selection from university and confirmed by local government, *Khan* - 35,267-71

Simultaneous examination preferred to, even if success is not immediate, *Mudholkar* - 37,525-8

System would not answer, and reasons, *Stanyon* 34,352-7
Values, suggestion, *Khan* - 35,273-5

Secretariat:

Copies of lists of candidates for direct recruitment nominated by Divisional Commissioners should be kept in, and particulars, *Thakur* - 35,595

Proficiency in one language should be necessary to appointment in, *Khan* - 35,225

Secretaries:**ASSISTANT:**

Members of P.C.S. appointed to act as, *Thakur* 35,606
Reservation of one permanent post as, to P.C.S., advocated, *Paranjpe* - 35,908

Rates of pay, and number of posts, *Hullah* 33,529

CHIEF, local allowance payable to, *Hullah* - 33,734
to Chief Commissioner, rates of pay, and number of posts, *Hullah* - 33,529

SECOND, local allowances payable to, *Hullah* - 33,734

THIRD:

to Chief Commissioner, listed posts should include post of, *Kolkathkar* - 37,829

Local allowances payable to, *Hullah* - 33,734

UNDER:

Local allowances payable to, *Hullah* - 33,734
Reservation of one permanent post as, to P.C.S., advocated, *Paranjpe* - 35,908

Secretary of State's Council (see under India Office).

Senior officers, staff should be increased, and reasons, *Stanyon* - 34,295-6

Separate Examinations:

not Advocated, reasons and objections, *Stanyon*, 34,187; *Nelson*, 34,584; *Walayatullah*, 34,924, 34,970-1; *Shukla*, 35,071, 35,119-20; *Khan*, 35,374; *Paranjpe*, 35,889; *Dixit*, 36,146, 36,253-8; 36,260; *Slocock*, 36,305-8, 36,421-5, 36,538, 36,852-8; *Sahasrabudhy*, 36,638, 36,673-4; *Malak*, 36,674; *Dick*, 36,901, 37,005-6; *Mudholkar*, 37,192, 37,339-40, 37,494, 37,500-2, 37,505; *Kolkathkar*, 37,810; *Kelkar*, 37,664, 37,692.

Nomination of candidates by Indian Universities. advocated. *Khan* - 35,386, 35,458-67, 35,465

less Objection if standard and prospects same as for competition in England, *Mudholkar* - 37,508

of Same character as the examination in England, and with subsequent training in England, Indian entering by, would still be considered inferior to officer entering by open competition, *Walayatullah* 34,971

Scheme for, if simultaneous examinations cannot be instituted, *Shukla* - 35,071, 35,120

for Whole of India, not advocated, *Slocock* - 36,305

Sessions Judges (see Judges, District and Sessions, and Judges, Divisional and Sessions).

Settlement Department, Assistant officers, removal of posts from P.O.S. and inclusion in Provincial Service of Department concerned, advocated, *Thakur* 35,600, 35,890

Settlement Officers:

Commissioners (see Commissioners of Settlement and Agriculture).

Included in superior posts, but drawing pay of inferior posts, and should be treated as such, *Moss-King*, 33,888; *Nelson*, 34,641.

Settlement Officers—continued.

Length of service. <i>Nelson</i> . . .	- 34,804
Listing of four posts, advocated. <i>Kellur</i> . . .	- 37,673
Local allowances payable to. <i>Hullah</i> . . .	- 33,734
Pay. scheme. <i>Nelson</i> . . .	- 34,641
Posts should be made superior and be held by Deputy Commissioners, and scheme re pay. <i>Hullah</i> . . .	- 33,513, 33,633-7

Settlements, Commissioner of (see Commissioners of Settlement and Agriculture).

Shukla, Rai Bahadur Pandit Bishun Dutta, B.A., evidence of . . . - 35,065-913

Sikhs, increase of education among, *Mudholkar* 37,191

Simultaneous Examinations :

Advocated, and suggestions, <i>Shukla</i> , 35,066, 35,070; <i>Paranjpe</i> , 35,382, 36,041, 36,061-4, 36,067; <i>Dixit</i> , 36,142, 36,180-3, 36,244; <i>Malak</i> , 36,769, 36,773, 36,799, 36,811-2, 36,854-8; <i>Mudholkar</i> , 37,189, 37,191, 37,242-5, 37,317, 37,337-8, 37,384-7, 37,409-10, 37,503, 37,519-21; <i>Kellur</i> , 37,659-60, 37,662-3, 37,688-9, 37,696-700; <i>Kolhatkar</i> , 37,806, 37,808-9, 37,842, 37,863-1.	
not Advocated, and reasons, <i>Moss-King</i> , 33,874-5, 33,911-14, 34,022, 34,125; <i>Stanyon</i> , 34,185, 34,543-6; <i>Nelson</i> , 34,582-3, 34,777; <i>Walayatullah</i> , 34,923, 34,969; <i>Khan</i> , 35,196; <i>Sloccock</i> , 36,304; <i>Sahasrabuddhy</i> , 36,637, 36,673; <i>Dick</i> , 36,900, 37,111-7, p. 301.	

AGE-LIMIT :

Differentiation not insisted on, <i>Malak</i> . . .	- 36,827
Higher for Indians than Europeans suggested under present conditions, and reasons, <i>Malak</i> . . .	36,769, 36,778, 36,803-9, 36,811
Reduction in Indian Civil Service Examination ought not to affect, and particulars and advantages, <i>Mudholkar</i> . . .	- 37,414-8
Caste would be altogether excluded from consideration, <i>Moss-King</i> . . .	- 33,874
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COLONIES :

Examination should not be held in, <i>Kellur</i> 37,663	
Need not be considered, <i>Mudholkar</i> . . .	- 37,191
Cost, calculations and remarks re, <i>Nelson</i> , 34,582; <i>Khan</i> , 35,196, 35,442; <i>Mudholkar</i> , 37,522-4.	
Cramming establishments would be started - 34,582	
would Create privileged Indian Service with higher privileges than P.C.S., <i>Nelson</i> . . .	- 34,582
Differentiation for Indians unnecessary, <i>Paranjpe</i> . . .	36,067

Difficulties re pressure on Universities for similar courses to I.C.S. examination in case of, could easily be surmounted, *Mudholkar* . . . - 37,579-81

EDUCATION :

of Candidates for, suggestions, <i>Malak</i> . . .	36,876-99
would be Damaged, <i>Nelson</i> . . .	- 34,583
would be Encouraged by, <i>Mudholkar</i> . . .	- 37,422-5
European element likely to be seriously reduced, <i>Khan</i> . . .	35,196

Increase of non-British element disapproved by general public of India and will result in cessation of competition in British Isles, *Moss-King* 33,874, 33,989, 34,021

INDIAN CANDIDATES :

would Cause far too great increase of Indians, <i>Stanyon</i> . . .	- 34,185, 34,543
Discontent among men failing in, and number of failures would be large, <i>Nelson</i> , 34,582; <i>Khan</i> , 35,196, 35,449, 35,456.	
Dissatisfaction of Indian candidates not successful would be unreasonable, <i>Mudholkar</i> . . .	- 37,248-50
Men from lower strata of Indian society would enter service, <i>Khan</i> . . .	- 35,196
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Service will be swamped by "Natives of India." and these will not represent all classes, <i>Walayatullah</i> . . .	- 34,923
Introduction of, time suggested, <i>Malak</i> . . .	- 36,818
Moral character of candidates, inquiry into, by universities, suggestions, <i>Mudholkar</i> . . .	- 37,556-60
More virile classes would be excluded by, and monopoly of posts by one or two classes cause dissatisfaction, <i>Nelson</i> . . .	- 34,582

Simultaneous Examinations—continued.

Muhammadans, opinions of, re, <i>Kahn</i> . . .	35,436-42
Necessity to go to England for examination not considered a bar for candidates outside British Isles, <i>Nelson</i> . . .	- 34,582
Nomination in India for, not recommended, <i>Dixit</i> . . .	36,184-5
Preferred to scholarships under any circumstances and particulars, <i>Mudholkar</i> . . .	- 37,525-8
Prestige of I.C.S. would be impaired, and administration would lose its efficiency, <i>Nelson</i> . . .	- 34,582
Previous two years' training at British University, advocated, <i>Mudholkar</i> . . .	37,191, 37,405, 37,420-2
Selection of candidates, some form of necessary, <i>Mudholkar</i> . . .	- 37,516-72
Separate for judicial and executive branches, advocated, and particulars re syllabus, law should be compulsory for judicial branch, <i>Mudholkar</i> . . .	37,196, 37,272-3, 37,582-45
Separate Statutory Civil Service wished for, even in case of introduction of, <i>Mudholkar</i> . . .	- 37,326-31

SYLLABUS :

More marks for Indians in foreign languages, or compulsory vernaculars for English, suggested and particulars, <i>Malak</i> . . .	36,769, 36,804-9, 36,811
Indian Civil Service Examination, syllabus suitable for, <i>Mudholkar</i> , 37,346; <i>Khan</i> , 35,454.	
Prolonged contact with Western ideas necessary for an Indian if syllabus to be identical with that in I.C.S. examination, <i>Khan</i> , 35,454.	
Same in India and England essential, <i>Malak</i> . . .	36,804

Training of Indians under present conditions unsatisfactory, <i>Moss-King</i> . . .	- 33,874, 34,132
Undesirable until public school system in India developed on English lines and particulars, <i>Dick</i> . . .	36,900

Sloccock, Francis Samuel Alfred, I.C.S., evidence of . . . 36,303-36,634

Small Cause Court (see Courts, Small Cause) :

Stanyon, Henry John, C.I.E., evidence of . . . 34,179-575

Statutory Civilians :

Comparison with I.C.S., <i>Mudholkar</i> . . .	37,191, 37,205, 37,841-5
only One, <i>Hullah</i> . . .	- 33,548
Particulars re appointments, &c., <i>Mudholkar</i> 37,189,	
	37,399-401
Pensions, system satisfactory, <i>Khan</i> . . .	- 35,249

RATE OF PAY :

Equal to members of I.C.S. recommended, <i>Paranjpe</i> . . .	35,938
Three-quarters of I.C.S. pay advocated, <i>Khan</i> , 35,240; <i>Mudholkar</i> , 37,205, 37,344.	

RECRUITMENT :

to Higher posts, suggestions, <i>Mudholkar</i> . . .	37,205, 37,237, 37,452-65, 37,619-39
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REVIVAL :

Advocated, <i>Stangou</i> , 34,341-5; <i>Dick</i> , 36,913, 37,010-3; <i>Mudholkar</i> , 37,205, 37,326-31, 37,483-90, 37,610-39.	
not Advocated, <i>Nelson</i> , 34,602; <i>Walayatullah</i> , 34,928; <i>Khan</i> , 35,206; <i>Paranjpe</i> , 35,903; <i>Dixit</i> , 36,150; <i>Sloccock</i> , 36,312; <i>Malak</i> , 36,781; <i>Kellur</i> , 37,670; <i>Kolhatkar</i> , 37,824.	
not Advocated, unless scheme for simultaneous examination not adopted, <i>Shukla</i> . . .	35,083, 35,145-55, 35,156-64
Difficulties of stamp of inferiority, <i>Mudholkar</i> . . .	37,484-99, 37,504, 37,509, 37,635-6, 37,618-52
would be Popular with higher class, but opinion of public not known, <i>Dick</i> . . .	- 37,010-3
Separate cadre would do more or less take the place of, and details, <i>Dick</i> . . .	36,962, 36,965, 36,996-7, 37,003, 37,040-8, 37,141, 37,144-53
System bad, and examples, <i>Mudholkar</i> . . .	37,385, 37,399-401
Treatment as P.C.S. men for purposes of listed posts prejudicial to senior members of P.C.S., <i>Thakur</i> . . .	35,606
Statutory Natives, exclusion from class of "Native of India" advocated, <i>Dixit</i> . . .	- 36,149

Statutory Regulations (Reservation of posts for I.C.S.):

Approved, <i>Moss-King</i> - - - - -	33,883
Approved, and amendment of Act of 1861 to include non-Regulation Provinces suggested, <i>Nelson</i> , 34,598; <i>Khan</i> , 35,204.	
Approved, and extension to other services and to posts in India Office desirable, <i>Slocock</i> - - - - -	36,310,
	36,507-13
Approved and minimum suggested, <i>Malak</i> , 36,782, 36,800-2; <i>Mudholkar</i> , 37,202, 37,254.	
not Approved, <i>Kolhatkar</i> - - - - -	37,821
Heads of Departments should be members of I.C.S., <i>Dick</i> - - - - -	36,910
Indispensable, and proportion of posts should be regulated according to circumstances of each province, <i>Stanyon</i> - - - - -	34,197
Retention, under certain conditions advocated, <i>Mudholkar</i> - - - - -	36,202, 37,326-31, 37,341-5

Sub-divisional magistrates (see under Magistrates).**Sub-divisional Officers:**

not in Contact with other Europeans for months in some cases, <i>Khan</i> - - - - -	35,571
post of Treasury officer held by, and remarks re, <i>Thakur</i> - - - - -	35,788-93

Sub-divisions, number of, and pay, *Walayatullah*

34,843, 35,054-7

Subordinate Judges (see Judges, Subordinate).**Subordinate Magistrates (see under Magistrates).****Subordinate Services:**

Officers recruited from need less training, and reasons, <i>Hullah</i> - - - - -	33,571
Posts on Rs. 250 and Rs. 200 included in cadre of munsifs, <i>Hullah</i> - - - - -	33,583

RECRUITMENT:

Distinction in principle from higher services advocated, <i>Dixit</i> - - - - -	36,234-5
System suitable, <i>Slocock</i> - - - - -	36,305, 36,368-2
Undermanned to great extent, <i>Stanyon</i> - - - - -	34,315
(see also Executive and Judicial.)	

Superintendents of post offices (see under Post Office).**Superintendents of Telegraphs, Assistant, treated as first-class officer re travelling and daily allowances, *Thakur***

35,630

Superior Posts (see under Conditions of Service, I.C.S.).**Supplementary examination, scheme, particulars re, and would be accepted under certain conditions, *Mudholkar***

37,403-5, 37,506-7, 37,508

T.**Tahsildars:****Complaints against, made in regular way and not anonymously as a rule, *Thakur***

35,859-61

no Important cases tried by, *Sahasrabudhy*

36,765

Inclusion in P.C.S.:

Advocated, <i>Paranjpe</i> - - - - -	36,075-7, 36,082-3
not Advocated, and particulars re, <i>Walayatullah</i> , 35,626; <i>Kolhatkar</i> , 37,906-8.	

no Legal training, *Khan*

35,525

should be Mentioned with title of "Mr." prefixed to their names in official documents, *Kolhatkar*

37,860

Munsif and police inspector and, considered equal, *Walayatullah*

35,028

Nail, recruitment, method, *Hullah*

33,788-94

Number, *Thakur*, 35,722; *Kolhatkar*, 37,852.**PAY:****Compared with that of extra assistant commissioner, *Shukla***

35,129

Inadequate, and particulars re, *Walayatullah*34,947; *Kolhatkar*, 37,852, 37,855, 37,882.**Qualifications, &c., *Thakur***

35,813-4

Tahsildars—continued.**RECRUITMENT:**

Method, <i>Hullah</i> - - - - -	33,787-95
by Promotion from subordinate service gives a chance to men proved efficient as, and fit for duties of extra assistant commissioner, <i>Walayatullah</i> - - - - -	34,933
for P.C.S., from, most satisfactory method, and selection of certain percentage advocated, and particulars, <i>Thakur</i> 35,595, 35,795-6; 35,812-4	
Training sufficient to judge cases brought before, <i>Khan</i> - - - - -	35,522-3
Work, <i>Thakur</i> - - - - -	35,693-6
Telegraphs, Assistant Superintendents, treated as first-class officers for travelling and daily allowances, <i>Thakur</i> - - - - -	35,630

Thakur, Raghunath Sadasheo, evidence of

35,570-35,881

Time-scales (see under Pay).**Training, I.C.S.:**

Differentiation for Indians, objected to, <i>Paranjpe</i> - - - - -	35,982
Differentiation as between persons of mixed and unmixed descent, not advocated; <i>Sahasrabudhy</i> , 36,662; <i>Mudholkar</i> , 37,223; <i>Kolhatkar</i> , 37,843.	

IN ENGLAND:

Essential, and particulars re, <i>Walayatullah</i> - - - - -	34,922-3, 35,037-43
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Minimum period of residence in England, advocated, <i>Slocock</i> - - - - -	36,303, 36,305
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